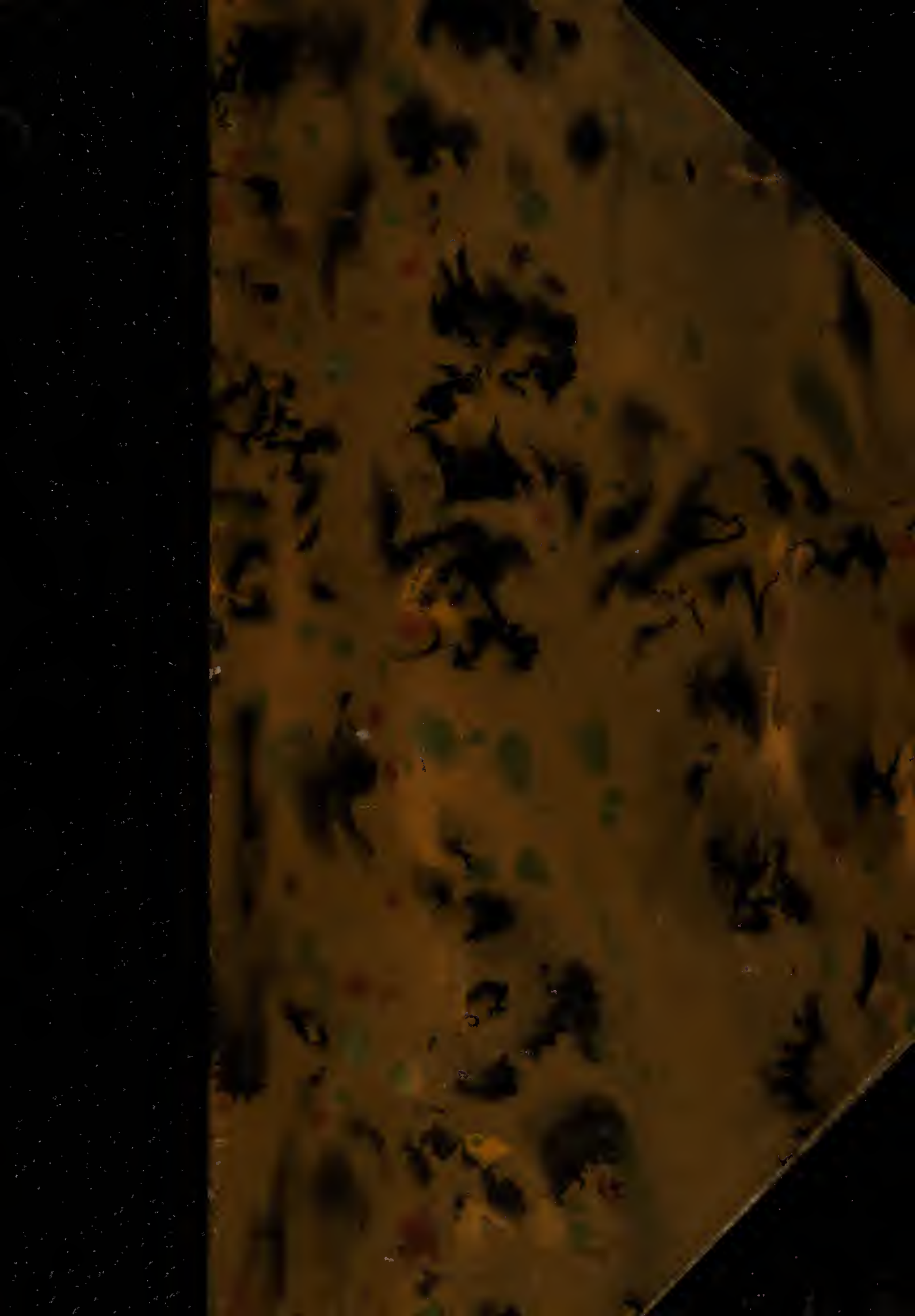
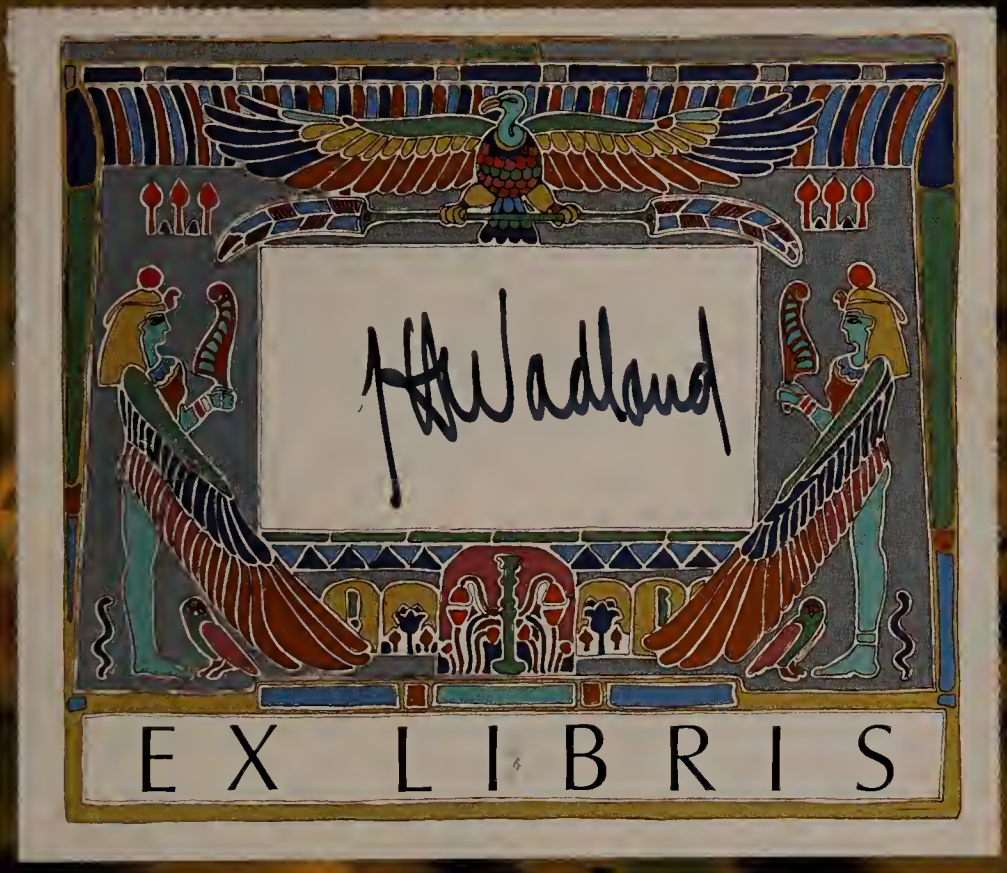





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# *The* PROVINCE OF ONTARIO

## —*A History*

*'And we among the northland plains and lakes,*
*We youthful dwellers in a younger land,*
*Turn eastward to the wide Atlantic waste,*
*And feel the clasp of England's outstretched hand."*

—Arthur Stringer

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J. E. Middleton

# The PROVINCE OF ONTARIO

## —A History

1615 - 1927


*By*

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*Author of "The Municipality of Toronto; a History"*

AND

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*Librarian of the University of Western Ontario*


*Volume I.*


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TORONTO

# A PREFACE BY THE EDITOR

WITHIN the life period of three generations of men the forest wilderness between Montreal and Detroit was transformed into a great garden. Cities sprang up; schools, colleges and universities were established; vast mineral treasures were uncovered. Diligence in business and the march of invention brought wealth, and to-day the Province of Ontario is the dominant partner in the Federation of self-governing British Provinces known as the Dominion of Canada.

The records of its rise and progress are scattered and fragmentary. Excellent books have been written on the work of the pioneers, on the settlement of various parts of the Province, on the sequence of political events, on the Lives of men who were leaders in the development of the Province, but no recent effort has been made to focus the whole pageant of Ontario life into one field of view, and set down a description of it in one progressive narrative.

Properly all scenes in the drama are inter-related. The political action of the Early Days is dull unless it be lighted by an understanding of the hardships suffered by the settlers. Most of the pioneers were Loyalist exiles, forced by the bitterness of the American Revolutionists to remove from pleasant and comfortable homes in the Thirteen States. There the institution of the Town Meeting had given them a taste of self-government while still under British sovereignty. After facing the rigours and dangers of wilderness travel and undertaking the tremendous task of establishing homesteads in the woods, the Loyalists were in no mood to endure arrogance on the part of Government officials or to suffer a paternalism derogatory to their manhood. Political agitation was the inevitable consequence of their private situation.

In like manner the natural desire of the people to have suitable schooling for their children was crossed by the determination of official persons to give Education the colour of a particular religious denomination, not in universal favour. Thus it would be idle to tell the story of Education without setting forth clearly the religious history of the Province. Again, discontent with local Authority did not prevent the people from defending the country energetically against Republican aggression, whether by military action or by peaceful penetration. This

fact would be curious and illogical if one did not know something of the sufferings and losses which the Loyalists had endured after the triumph of Republicanism in their former homes. Instances of the mixed motives which ruled the lives of the settlers might be multiplied.

On the other hand, the early Governors had a task of such intricacy that their seeming arrogance may be in part excused. Great Britain was at war with France for nearly a quarter of a century. French spies swarmed in Canada seeking to induce the Western Indians to turn and rend the British settlements. British sea-power bore hardly upon American commerce and there was a strong pro-French party in the United States clamouring for an attack upon Canada. Domestic agitation in such circumstances had the flavour of treason and the military officers in places of authority were not disposed to argue about it. For the sake of safety, new settlers of pronounced loyalty were given lands on the Lake and River fronts while the doubtful immigrants were hived in the back townships. Many years afterwards when the political parties had become organized men wondered why some midland constituencies were generally Liberal while some water-front ridings seemed to be governed by an antique Toryism. Thus modern political history has its roots in the beginnings of Upper Canada. The story of the Province is a single fabric woven from private as well as public circumstances and events, and showing throughout the shimmering colour of Romance.

All civilization is rooted in the past and while Ontario's record is entirely within the Modern Period, it is picturesque and as varied as the changing fields of a kaleidoscope. The social and economic miracle wrought by the building of railways may best be studied here. The struggles to maintain British sovereignty were splendid and heroic. The progress towards educational and religious freedom was full of incident. The Editor approaches the task sensible of its magnitude and realizing to the full that his best efforts will be imperfect. But he will seek to maintain an independent attitude, to set down fairly both sides of every controversial question, and to find corroboration for every statement. A knowledge of Ontario's beginnings can strengthen the national spirit, and kindle the fires of patriotism. If this book may contribute to that result the Editor, as a Native Son, born in a log house, will be amply repaid.

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# PART I.

# CHAPTER I.

## UNDER THE FRENCH REGIME.

Virgin forest of pine or of hardwood covered this whole Province of Ontario when Samuel de Champlain and his French companions first set foot on the hither side of the Ottawa River. The Indian inhabitants were of two stocks: the Algonquin (which included Chippewa, Mississaugas, Salteaux and a dozen other tribes), and the Iroquois, to which family the Hurons, Petuns, Neutrals and the Five Nations belonged. The Algonquins were nomadic hunters living in tepees. The Iroquois had settled villages of bark houses, were well organized for peace or war, and practised agriculture after a fashion. That is to say, they raised maize, or Indian corn, in natural clearings, and pounded the kernels to meal for emergency rations. With a bag of such corn they could make long canoe-journeys without halting to hunt.

When white men first came to this Continent civil war existed between the tribes of Iroquois stock. The Five Nations—Senecas, Onondagas, Cayugas, Oneidas, and Mohawks—had effected a Federal alliance against the Hurons and Petuns and were seeking to extend their hunting ground by exterminating their enemies. The Huron country was on the eastern shore of the Georgian Bay and extended southward to the northern coast of Lake Simcoe. Here were at least twenty villages, fortified by heavy stockades, and placed in positions easy of defence. The Petuns or Tobacco Nation occupied the Bruce Peninsula. Farther south from the Niagara River to Detroit were the Neutrals who controlled the extensive flint deposits at Point Abino on the north shore of Lake Erie, and probably provided material for arrow-heads and hunting-knives to their warring neighbors. Arrow-heads and other weapons of chipped flint were in universal use by the American Indians and may be seen in any museum. For many years students were at a loss to understand the means of fashioning these articles, since the knowledge died out among the Indians as soon as iron was available. Mr. H. L. Skavlem, a naturalist of Wisconsin, has re-discovered the method and is able to make arrow-heads not only of flint but of ordinary green glass. The only tool used is a pointed piece of bone. The flint or glass is inserted in a slot in an oak block slightly larger than the material so that it may be held at an angle of forty-five degrees. Then, by pressing the bone point against the edge of the flint, crescent chips may be removed with comparative ease.

Quebec had been founded in 1608 by Samuel de Champlain who had established friendly relations with such Indians as he met upon the St. Lawrence and bought their furs. Algonquins from the Upper Ottawa under a chief named Iroquet were impressed by the efficiency of firearms and per-

suaded Champlain to join them in an attack upon the Mohawks. In a battle near Crown Point on July 29th, 1609, Champlain and his allies were victorious, but from that day the Five Nations were the implacable foes of the French and hampered the establishment of a French colony. Iroquet's sense of obligation to Champlain was so strong that he readily agreed to receive a young Frenchman into his lodges for the winter, that he might learn the language and serve as an interpreter, but other members of the tribe were doubtful. They feared that if any harm should come to the white man, Champlain might take revenge for his death. Accordingly an exchange of hostages was arranged. The Chief permitted a young brave named Savignon to go to France with Champlain, and the Frenchman, Etienne Brulé, went with the Indians, lived their life and learned their tongue. He was one of six young adventurers who plunged into the woods at the command of their leader; Brulé, Nicolet, Marsolet, Hertel, Marguerie and Vignau. Brulé was the first white man to see the Great Lakes and for five years he ranged with his copper-colored friends through Northern Ontario, probably returning every summer with the Indians to the St. Lawrence, where he reported to his master the wonders of lake and river and forest which he had beheld.

The Hurons were anxious to gain the aid of Champlain against their enemies, and invited him to visit their country, but he declined until they consented to receive a missionary as well. Agreement came in the summer of 1615. On July 6th or 7th, Father Joseph Le Caron, a Récollet priest, set out in an Indian canoe from Lachine. Two days later Champlain with Brulé, another French companion, and seven Indians followed. Twelve armed Frenchmen had gone with Le Caron; fifteen white men in all were on the way to Huronia, four hundred miles distant. The way was not easy, with its thirty-five portages, beginning with the Long Sault, nine miles long; most of them being in rocky and precipitous country. So they came to the site of the present Mattawa, to Lake Nipissing, to the French River and to Georgian Bay, then southward through that maze of islands to Machedash Bay and to Otouacha, a Huron village about four miles below the present town of Penetanguishene on the Bay of the same name—"the place of the white sands." Le Caron was taken to the village of Carhagouha, westward across the headland, where a separate cabin was built for his use. Champlain landed on August 1st, was taken to all the principal villages for a series of war councils, and on August 12th met Father Le Caron at Carhagouha and heard the first mass celebrated in Ontario. Also the *Te Deum Laudamus* was sung, the explorer devoutly participating, to the wonder of a non-musical people.

Preparations for the war-expedition went on apace, the point of concentration being Cahaigué on the north shore of Lake Simcoe close to the present village of Hawkestone. The Hurons were anxious to secure the cooperation of a tribe called the Carantouanais (or Andastes), settled on the Susquehanna River, so it was determined to send a small advance mission

to Carantouan, prepare for a junction of forces, and catch the enemy between the jaws of a pair of military pincers. Twelve of the sturdiest braves were selected for this mission and were instructed to make all haste. Etienne Brulé was permitted to accompany them, a fact which proves that this man, the first of the *coureurs de bois,* the "pioneer of pioneers" was no weakling. The advance party came down Lake Simcoe to the Holland River. From the head waters of that stream they crossed a short portage to the source of the Humber and paddled down to Lake Ontario. It is believed that Brulé was the first white man to see the noble shore-curve of Humber Bay. The date was probably September 10th, 1615. The two canoes coasted around the western end of Lake Ontario and came to the Niagara River. It is unlikely that Brulé saw the Falls of Niagara at this time. There was need of haste and the route probably lay south-east of the present town of Lewiston. Through the forests and marshes of the Seneca country the scouts took their way meeting only one hostile party which they surprised and defeated, killing four men and capturing two. Having arrived at Carantouan and delivered their message the scouts stood ready to join the war-party and proceed to the rendezvous, but the Carantouanais dawdled in preparation. They were late in setting out and did not reach the point of junction until two days after the battle was fought.

Champlain with the main party left Cahaigué on the same day as Brulé but paddled eastward past the Narrows and down the east shore of Lake Simcoe. A well-travelled portage brought them by way of Balsam Lake, Sturgeon Lake, the Otonabee River, Rice Lake and the Trent River to its outlet in the Bay of Quinté. Along the coast of the Bay and Lake they went until they reached the embouchure of the St. Lawrence River, and there crossed to the south shore and hid their canoes in readiness for the return journey. Of the Trent district Champlain said: "It is certain that all this region is very fine and pleasant. Along the banks it seems as if the trees had been set out for ornament. All these tracts were in former times inhabited by savages who were subsequently compelled to abandon them for fear of their enemies. Vines and nut trees are here very numerous. Grapes mature yet there is always a very pungent tartness which is felt remaining in the throat when one eats them in large quantities, arising from lack of cultivation. The localities are very pleasant when cleared up. Stags and bears are here very abundant. As to smaller game it is abundant in its season. There are also many cranes, white as swans. We made the crossing of the Lake of the Entouhonorons at its eastern extremity in latitude 43 degrees where in the passage there are very large and beautiful islands."* The war party marched by forest trails southwest to the neighbourhood of the present city of Syracuse and attacked a fort supposedly within the Township of Fenner, Madison County, New York. Despite the Frenchmen's firearms the siege did not prosper, owing to the lack of discipline on the part of the Hurons, and the

*An error of calculation. The latitude is 44 degrees.

failure of the Andastes to appear in time. On October 16th a retreat was begun and two days later in a snowstorm the party reached the hidden canoes and crossed the Lake. Champlain himself had been wounded by arrows and was in no condition for immediate travel. He and his party hunted for a time in Cataraqui Creek and Loughborough Lake and when the winter had bound the canoe routes with ice made their way overland to the Huron country where Father Le Caron was found in his lonely hut.

Brulé and his Huron associates spent the winter with the Carantouan tribe and in the Spring of 1617 attempted to return through the Seneca country to Lake Ontario. They were attacked and were compelled to scatter for safety. During two days Brulé was lost in the forest. Finally discovering a trail he followed it and walked into a Seneca village. At first he was kindly received, since he denied that he was a Frenchman, but the warriors were suspicious. They finally seized him, pegged him out on the ground and applied the forms of torture which Indians rejoiced to administer.

They tore out his finger-nails with their teeth, applied glowing coals to his body and plucked out his beard by handfuls. They would have killed him had not the torture been interrupted by a furious thunderstorm. The Indians may have imagined that this storm was a Heavenly rebuke. In any case the Chief released the prisoner, bound up his wounds and treated him kindly. When he had recovered sufficiently to march he was conducted to Lake Ontario and found his solitary way back to the Huron country. Thence in 1618 he returned to the site of Three Rivers, meeting Champlain on July 7th. What a story he had to tell of the Empire he had seen! How he could have thrilled the Courts of Europe if he had chosen to cross the sea! But he was still Champlain's servant; he had a love for savage life, and his friends were in Huronia. So he rejoined the Indians; coming down again with the trading flotillas in 1620 and 1621 but spending the time generally in hunting and exploration. Sagard says: "At about 80 or 100 French leagues from the Hurons there is a mine of red copper from which the interpreter Brulé showed me a large ingot when he came back from a journey he made to a neighboring nation with a man named Grénolle." Year by year Brulé reported to Champlain the result of his inquiries and his observations and undoubtedly the uncanny accuracy of Champlain's map published in 1632 but probably drawn in 1629 is due to the information which he brought. But the servant forfeited the confidence of Champlain when he acted as pilot for one of the ships of Kirke, the Englishman who captured Quebec in 1629. He returned to the Hurons while the French were being sent back to their own country, but three years later he became involved in a quarrel. The Indians clubbed him to death and his body was cooked and eaten. De Brébeuf, the Jesuit missionary, testified in 1635 that he had seen the place where "poor Etienne Brulé had been barbarously and treacherously murdered." The place was Toanché, a Huron village on Lot 3, concession 19 of the Township of Tiny. For

twenty-three years he had roved the forest, being the first white man on the Niagara River, on Lake Ontario, on Lake Huron, at Sault Ste. Marie, and probably on Lake Superior.

Champlain's appetite for adventure was not yet sated. Although he had reached the Huron country from the south on December 23rd, 1615, he was ready on January 15th, 1616, to undertake a journey to the Petun villages in company with Father Le Caron. This tour lasted a month, and while the Indians of the present Grey and Bruce Counties were cordial towards Champlain they were not interested in the missionary. Says Sagard: "They offered him no hearty welcome nor gave sign that his visit was at all pleasing, acting, it may be, at the instigation of their medicine men." As soon as the rivers were free of ice Champlain left for the St. Lawrence; Le Caron set out on May 20th, 1616, reaching Three Rivers on July 1st. Shortly afterwards he sailed for France and did not return until 1623. By the middle of August of that year, Father Le Caron, in company with Father Nicholas Viel and Brother Gabriel Sagard-Théodat, were with the Hurons and remained until the following spring. Then it was determined that Le Caron and Sagard should return to Quebec. Father Viel remained at the mission for another year. On the way to Quebec after having passed all the dangers of the long trade-route, he came to the swift water of the Rivière des Prairies to the north of the Island of Montreal. Here, whether by accident, or by the design of two or three Indian ruffians, his canoe was upset and he was drowned in company with a young Indian convert named Auhaitsic or "Little Fish." A suburban village erroneously called Ahuntsic was established in our day on the shore of the "Back River" in plain sight of the Sault au Récollet.

In 1625 the Jesuits first came to Quebec having been invited by the Récollets. The first missionaries were Father Charles Lalemant, Father Jean de Brébeuf and Father Ennemond Massé who came over from France with two Jesuit lay brothers and a Récollet friar named Joseph de la Roche d'Aillon. It was found impossible to proceed to the Huron country until the following year and by that time three more Jesuits had arrived from oversea. When the Hurons came to the St. Lawrence in the summer of 1626 they agreed, though reluctantly, to convey three missionaries to their country. Accordingly on August 1st or thereabouts Father de Brébeuf, Father Anne de Nouë and the Récollet Father d'Aillon stepped into their canoes and by the end of the month were living in the village of Toanché, a little west of the shore of Penetanguishene Bay.

Father de la Roche d'Aillon had instructions from his superior, Father Le Caron, to visit parts of the Neutral country where no priest had ever been. Accordingly he set out on October 18th, 1626, in company with two Frenchmen named La Vallée and Grénolle; the latter had been Brulé's companion on the voyage to the Sault. It is believed that the route was through Grey and Wellington counties and then by way of the Grand River. D'Aillon was on this journey for about five months, returning to the Jesuit

mission about the middle of March, 1627. In that year Father de Nouë returned to Quebec, having found it impossible to learn the vowel-ridden Huron language. D'Aillon left in 1628, and for a year Father Jean de Brébeuf was in Huronia alone. The sudden appearance in the St. Lawrence of the Kirke Brothers, English sea-raiders, and the prevalence of famine in the colony made it necessary for De Brébeuf to return to Quebec. He was there on July 19th, 1629, when the Kirkes demanded the surrender of the city. On the following day the English entered Quebec, and for three years Canada remained in their possession. The country was ceded back to France by the Treaty of St. Germain-en-Laye on March 29th, 1632. Meanwhile the missionaries were in France.

In the Spring of 1634 the Jesuits had returned; Father Paul Le Jeune being established as Superior at Quebec, and Fathers de Brébeuf, Antoine Daniel and Ambroise Davost proceeding to Huronia. From that time onward for ten years the Huron Mission became more and more important. The Fathers built a Fort named Ste. Marie on the River Wye and by 1640 this Residence was the home of fifteen Jesuit priests, and as many Brothers and domestics. Its ruins may be traced today. Missions were established in all the principal villages and also in the Petun and Neutral country. The Hurons were nominally Christian, although they were slow to change their traditional cruelty towards prisoners. Meanwhile the Iroquois were growing more and more troublesome. They waylaid French and Huron hunting parties, prepared ambushes at the portages, becoming bolder and more relentless with every success. Father Isaac Jogues was captured on August 3rd, 1642, carried into the Iroquois country and tortured. He was ransomed by the Dutch Governor of Albany, Van Corlaer, and returned to France. A year later he was again in Canada, swinging his paddle, intoning the mass, acting as special envoy of the French Governor to his former captors, and finally going to the Mohawks as a missionary. He was slain by a tomahawk in the hands of an infuriated Indian on October 16th, 1646, near the present village of Auriesville, N. Y.

In 1648 eighteen missionaries were in Huronia. Then came the first fierce gust presaging the coming storm. St. Joseph, or Teanaustaiae, was a fortified village, beautifully situated on a height overlooking the Coldwater River. At sunrise on July 4th, 1648, Father Antoine Daniel went to his chapel to say mass. While the service was in progress the war-cry of the Iroquois was heard. During the night the enemy had labored silently at the stockade undermining the heavy posts with hatchets. At last a practicable breach was made and into the village they came, an army of red demons straight from the Pit. Some attempt at a stand was made by the surprised Hurons but it was of short duration. Soon the village was a shambles. Those who escaped the first onset ran in a frenzy of terror to the church. Amid the lamentations of women, children and old men, so many called aloud for baptism that the priest dipped his handkerchief in the font and baptised the people by aspersion. Meanwhile he comforted

them with heroic words: "Brothers, today we shall be in Paradise." At last the invaders come even to the church. Calmly the priest opens the door and stands unarmed before them. He questions them. They pause, abashed, but only for a moment. A musket ball stretches Father Daniel upon the ground. He is riddled with arrows, his cassock is stripped from him and his brave body mutilated. Then, the torch! The church filled with dead and dying, flames up, a red terror in the midst of the forest. The bloodstained body of the Jesuit is cast into the fire and the Iroquois withdraw before the Huron war-parties of revenge can be assembled. For fourteen years Father Antoine Daniel had laboured in Huronia. He walked with savages on earth. He walks with better company today, "with Barak and Samson, with David also and Samuel, and with the prophets, who through faith subdued kingdoms, wrought righteousness, obtained promises, stopped the mouths of lions, quenched the violence of fire, out of weakness were made strong."

During the rest of the summer of 1648 no further incursions in force were made by the enemy, and by winter the Hurons believed that they were safe until the canoe routes were open. But 1,200 Iroquois braved the dangers and discomforts of a winter march in order to make a surprise attack. They took care to arrive at night outside the stockaded village of St. Ignace some three miles from St. Louis in a southeasterly direction. Placing warriors in ambush along the line of retreat, the main body broke through the palisade and began the massacre. Of the startled fugitives who streamed along the forest path only three escaped. These came breathless to St. Louis. Scarcely had they told their story when the van of the enemy's forces appeared and the Huron warriors gave battle. Many of the women and children had time to escape in the direction of the fort at Ste. Marie, and the Indians urged the two priests at St. Louis to follow their example. They refused. Soon the Iroquois had beaten down all resistance and had fired all the cabins. Father Jean de Brébeuf and Father Gabriel Lalemant were captured.

Back to St. Ignace the yelling victors took their way contemptuous of possible danger from the other Huron communities. The priests were stripped and bound to posts to make a holiday for demons. Their fingernails were torn off; they were beaten with great fury. A renegade Huron mocked De Brébeuf and the rites of the Church by baptising him with boiling water. He did not quail but preached, telling again and again the story of the Cross until an Iroquois cut off his lips and his tongue. A collar of red-hot hatchets was flung about his neck, a belt of bark full of pitch was girt about him and then set on fire. So on and on through the long March day he endured "as seeing Him who is invisible." He was captured in the early morning. He died at four in the afternoon. Father Lalemant, whose tortures were not less bitter, lived until the morning of March 17th, 1649.

Huronia was ended as a mission field, as the nucleus of civilization, and as the home of the Huron Indians. Some fled to the St. Mary River. A remnant accompanied by the Jesuits made their way to the Island of St. Joseph (Christian Island) where another fort was established and occupied on June 15th, 1649. But the enemy held the island so closely invested that any hunting party which crossed to the mainland was sure to encounter enemies in ambush. The colony on the island was reduced to a state of famine, and on June 10th, 1650, priests and people took canoes for Quebec to live under the shelter of the guns. The descendants of the broken nation are found today in the village of Lorette and in the Wyandotte tribe which settled in the neighborhood of Detroit. In the years 1650 and 1651 the Petuns and the Neutrals ceased to exist as separate clans. Such warriors as were not slain in battle with the invading Iroquois or given to the torture were adopted into one or other of the Five Nations, as were practically all the women, and the western peninsula of Ontario became a wilderness indeed, visited only by wandering Algonquin hunters and by Iroquois hunters or war-parties marching westward.

Under the direction of the Historic Sites and Monuments Board of Canada, three cairns and tablets marking places of note in the Huron country were unveiled on September 15th, 1923, in the presence of a distinguished company. On the supposed site of the village of St. Louis, protected on three sides by the Hogg River, and on the fourth side by a stockade which has been traced by Mr. A. F. Hunter, Secretary of the Ontario Historical Society, there is a cairn 12 feet high bearing the following inscription, "Site of a palisaded Huron village and Jesuit mission (either St. Louis or St. Ignace II.) The destruction of both villages by the Iroquois foe, 16th and 17th March, 1649, sealed the fate of the Huron nation. Jean de Brébeuf and Gabriel Lalemant, missionaries, captured at St. Louis were, after frightful tortures, killed at St. Ignace II.—This site donated by Charles E. Newton." Dr. Herriman, of the Orillia Historical Society, who presided, read a letter from Mr. Newton, which in part was as follows: "In view of this being the spot where two of the first pioneers of Christianity in these parts lost their lives in such a terrible way, it is a place that should neither be bought or sold, but should become the property of all 'who profess and call themselves Christians.'" After a public reading of extracts from the Jesuit Relation of 1649, and the reciting of the Lord's Prayer, the tablet was unveiled by Brig.-Gen. E. A. Cruikshank, Chairman of the Historic Sites and Monuments Board. In his address he quoted the words of Joseph Howe, "A wise nation preserves its records, gathers up its muniments, decorates the tombs of its illustrious dead, repairs its great structures, and fosters national pride and love of country by perpetual reference to the sacrifices and glories of the past." General Cruikshank was followed by Rev. E. J. Devine, S. J., Historiographer of the Jesuit Order.

The company then proceeded to the Old Fort of Ste. Marie on the River Wye, situated on the property of Mr. James Playfair. Here Dr. Raikes, President of the Midland Historical Society, directed the brief ceremony. Then from Midland the party went to Christian Island, where the second Fort Ste. Marie was built in 1649 and abandoned in the following year. The stone walls can still be traced, and up to the year 1900 they were standing in some places to the full height of twelve feet. The bronze tablet at this site is on a huge granite boulder, just outside the entrance to the fort. The ceremony of unveiling was directed by Mr. C. E. Wright, of the Penetanguishene Historical Society, and the address of welcome was delivered by Chief Henry Jackson, of the Ojibwa Indians, who inhabit the Island. Here Dr. James H. Coyne spoke on The Last Stand of the Huron Nation. His peroration was as follows:

"That wonderful and beautiful invention of the Algonquins, the birchbark canoe, was at the disposal of the French. Without it, their exploration of the great basins of the St. Lawrence and the Mississippi within little more than half a century would have been impossible. With it, the French were pioneers in discovery and exploration, and in revealing to the Old World the Northern half of the New. They were the pioneer traders. Their missionaries, Récollet, Jesuit and Sulpician, were the first to plant the cross, and to proclaim the teachings of Christianity on the great lakes and in the great continental basins. The British entered by conquest upon their labours, and Indian, French Canadian, Canadian of British origin, have since contributed, each in his own way, according to the varying genius and opportunity of his race, to the upbuilding of the Canadian nation. Their traditions, their history and achievements, are the joint heritage of the Canadian people.

"O Canada, terre de nos aïeux,
Ton front est ceint de fleurons glorieux,
Car ton bras sait porter l'épée,
Il sait porter la croix,
Ton histoire est une épopée
Des plus brillants exploits.
Et ta valeur, de foi trempée
Protégera nos foyers et nos droits,
Protégera nos foyers et nos droits.

"But the character of a nation, like that of the individual, is made up of its failures, as well as triumphs, and history records both with impartial pen. And so, on behalf of the Historic Sites and Monuments Board of Canada, I now unveil and dedicate to the Glory of God, and the care of the Canadian people, this memorial of a forsaken fortress, a vanished race, and a mission that failed —but memorial also of a great ideal nobly upheld, of patient endurance and heroic self-sacrifice, of Christian faith, undaunted by disaster, triumphant over defeat, famine, disease and death."

Among those who took part in the pilgrimage were Mr. and Mrs. Wm. Thomson, Dr. and Mrs. A. E. Ardagh, Mr. and Mrs. F. G. Evans, Mr. and Mrs. C. H. Hale, Mrs. J. C. Miller, Messrs. J. P. Downey, M. T. Mulcahy, N. McAuley and Dr. H. S. Martin, of Orillia; Mr. W. Finlayson, M.P.P., the Rev. J. R. H. Warren, of Midland, Mr. J. H. N. McGuire, Secretary of the Penetanguishene Historical Society, and Messrs. David Williams and J. M. Begg, of Collingwood.

For fifteen years following the destruction of the Huron mission the Iroquois were virtually the masters of Canada. They harried the colony of Frenchmen, by sudden appearances in unexpected places, by murders, by captures and by burnings; they kept Governors and people in misery, and made settlement impossible. There were intervals of an uneasy peace, during which time Father Le Moine and others served as missionaries, but for the most part the Iroquois were on the war-path. In 1656 a party of them plundered some of the houses in Quebec itself. Ten years later in answer to the pleadings of the colonists a considerable body of soldiers arrived from France and were led by M. de Tracy in a successful expedition against the Mohawks. The ardor of the enemy was dampened and Lake Ontario was at last open to French missionaries and explorers.

Robert Cavelier, Sieur de la Salle, a native of Rouen, come to Canada in 1666, an elder brother being a Sulpician priest in Montreal. The Superior of the Order of St. Sulpice, Abbé Quéylus, was attracted by the energy of the young man and gave him a grant of land near the Rapids afterwards called Lachine. Some Seneca Indians told him of a pleasant river, to the south of the lake region, which flowed onward to tidewater. Naturally De La Salle assumed that its course was continually westward to the "Vermilion Sea," known today as the Gulf of California. Was this the western road to China? De La Salle's imagination kindled at the thought, and immediately he sought permission from Governor de Courcelles and Intendant Talon to go exploring. The permission was given, provided that he should pay his own expenses, and take with him two Sulpicians, Dollier de Casson and Réné de Bréhant Galinée. Accordingly he sold his seigniory, outfitted fourteen men and procured four canoes. De La Salle's expedition started from the head of the Rapids on July 6th, 1669, and reached Lake Ontario on August 2nd. Coasting up the south shore the explorers came to the present site of Charlotte where Dollier remained in charge of the canoes while De La Salle and Galinée visited the chief Iroquois village in an attempt to secure guides. They were not successful, but a visitor from an Indian outpost near Burlington offered to guide them to his village and show them a better way to the great river. The party reached the outpost, called Otinawatawa on September 24th, and the Chief gave to De La Salle a Shawanee prisoner who declared that the river he sought could be reached in six weeks.

Before a start could be made Louis Jolliet appeared in the village on his way to Montreal. He had been sent to the Upper Lakes by the Governor who wanted a reliable report on the copper mines from which samples had been brought from time to time. He was also anxious to learn whether or not a water-route less broken by portages than that of the Ottawa could be found in order to transport the ore to Quebec. The young explorer rescued from torture at the Sault an Iroquois prisoner who was willing to show the way down the Great Lakes, so long as he was not required to go to Niagara — a place uncomfortably near prowling

Andastes scouts. Accordingly they left Lake Erie at Port Stanley, concealing their canoe, and marched to the Grand River, thence to Burlington Bay. The village where Jolliet met De La Salle and the Sulpicians was near the site of the present Wabasso Park. The returning explorer reported that the Pottawattamies of the Green Bay region were in dire need of the Gospel. Accordingly the priests determined to go in that direction. De La Salle had no intention of seeing his own plans balked in this manner, so pleading illness as an excuse, he embarked, ostensibly for Montreal. Dollier and Galinée descended the Grand River, and finding Lake Erie in the grip of an Autumn tempest camped first near Port Dover and then, after securing Jolliet's canoe, at Point Pelée. In the Spring of 1670 they were at Detroit. Thence they paddled to Sault Ste. Marie, found the territory occupied by Jesuits and so returned to Montreal by French River and the Ottawa. De La Salle in the meantime had gone to the Onondaga country south of Lake Ontario, found a guide and started for the Ohio. Some of his men deserted, returned to Montreal, and named the Rapids "La Chine" in derision of the project to reach China by westward travel. But De La Salle discovered the river he sought and sailed down it as far as the rapids below Louisville, Kentucky. On his return to Montreal he showed himself hostile towards the Sulpicians and thus gained the confidence of Governor Frontenac. Through the Governor's influence the King ennobled him, and granted him the trade monopoly of Fort Frontenac, the fortified post established in 1673 at the present site of Kingston—as a French sentinel in the Iroquois front-yard.

In the year 1671 Jolliet was again at Sault Ste. Marie, having travelled by way of the Humber route, and was present at the famous Council of Indians called by M. de St. Lusson and Nicholas Perrot for June 14th. On this occasion all the lands west and south were formally claimed for the French Crown. The proclamation contained the following sentence:

**"In the name of the most high, most powerful and most redoubtable monarch, Louis XIV., Most Christian King of France and Navarre, we take possession of the said Ste. Marie du Sault, as also of Lakes Huron and Superior, Isle of Carentoton and of all the countries, streams, lakes and rivers contiguous and adjacent, discovered or undiscovered."**

After the Proclamation there was a speech by Father Allouez, the Jesuit, and the official party of proclaimers and listeners sang the *Vexilla Regis,* the *Exaudiat* and the *Te Deum.*

Why Galinée on the way to Burlington did not pause to see the Falls is not easily understood. In his diary he said:

**"We discovered a river one-eighth of a league wide and extremely rapid which is the outlet or communication from Lake Erie to Lake Ontario. The depth of this stream (for it is properly the River St. Lawrence) is prodigious at this spot; for at the very shore there are fifteen or sixteen fathoms of water which fact we proved by dropping our line. This outlet (maybe forty leagues in length) contains at a distance of ten or twelve leagues from its mouth in Lake Ontario one of the finest cataracts or waterfalls in the world, for all the**

Indians to whom I have spoken about it said the river fell in that place from a rock higher than the tallest pine trees; that is about two hundred feet. In fact we heard it from where we were."

He added that on the testimony of Abbé Trouvé of the Kenté (or Quinté) mission (*) it could be heard from Toronto on the north shore.

De La Salle, in the hope of prosecuting his discoveries still further, returned to France and interested a merchant named La Motte de Lussière, who came to Canada with him in 1678. On November 18th La Motte and Father Hénnepin, a Récollet frair of adventurous disposition and imaginative temperament, set sail from Fort Frontenac in a ten-ton vessel for Niagara. The day was stormy and in order to get partial shelter from a furious northwest wind they came tacking up the north shore. On November 26th they reached the Iroquois village of Teiaiagon, not far from Toronto Bay, and ran into the mouth of a river, supposedly the Humber. While the little vessel was in shelter the frost came and the sailors had to cut the ice with axes to free the ship. On December 5th she was again in clear water and headed for Niagara. La Motte built the first fortified post on the Niagara River, not far from Lewiston—greatly to the disgust of the Senecas, and Father Hénnepin wrote the first detailed description of the Falls of Niagara.

Hénnepin's book on his journeys was published in English translation as early as 1699, being specially dedicated to William III. The extracts following are from that edition:

"Betwixt the Lakes Ontario and Erie there is a vast and prodigious Cadence of water which falls down after a surprising and astonishing manner, insomuch that the Universe does not afford its Parallel. 'Tis true Italy and Suedeland boast of some such things, but we may well say they are but sorry patterns when compared to this of which we now speak. At the foot of the horrible Precipice we meet with the River Niagara which is not above half a quarter of a League broad, but is wonderfully deep in some places. It is so rapid above this Descent that it violently hurries down the Wild Beasts while endeavouring to pass it to feed on the other side; they not being able to withstand the force of its Current which inevitably casts them down headlong above six hundred foot. This wonderful Downfall is compounded of two great cross sections of water and two Falls with an Isle sloping along the middle of it. The waters which fall from this vast height do foam and boil after the most hideous manner imaginable, making an outrageous Noise, more terrible than Thunder; for when the wind blows from off the South their dismal roaring may be heard above fifteen leagues off. The River Niagara having thrown itself down this incredible Precipice continues its impetuous course for two leagues together with an inexpressible Rapidity. But having passed that, its Impetuosity relents, gliding along more gently for two Leagues till it arrives at the Lake Ontario or Frontenac."

Hénnepin, while generally accurate in his distances, had the temperament of the story-teller, and evidently could not resist adding a little

*Kenté, the first Sulpician mission on the north shore, was not within the Bay of Quinté but was situated on the Lake Ontario side, probably at Weller's Bay. It was established in 1668 in answer to a request of a group of Cayugas settled there, the first missionaries being the Abbés Trouvé and Fénelon, who were followed as superior by the Abbé Dollier de Casson, a cavalryman turned priest. The mission did not continue long. The name is supposedly from an Iroquois word meaning "meadows" or "prairies."

varnish to his plain tale. He was not the first—nor the last—to "edit" his facts in order to make some one's flesh creep. The Récollet remained at Niagara from December 6th to January 20th, 1679, when De La Salle arrived, big with the idea of building a ship and going exploring upon Lake Erie. Work was begun on January 26th and by Spring the *Griffon* was launched, a vessel of sixty tons, bark-rigged. The name was found in the arms of Count Frontenac, which bore a griffin in the field. The voyage from end to end of Lake Erie was accomplished without incident. Concerning the region of Detroit the Reverend journalist wrote: "This streight is finer than that of Niagara, being 30 leagues long, and everywhere one league broad, except in the middle which is wider, forming the Lake we have named St. Claire. The navigation is easy on both sides, the coast being low and even. It runs directly from North to South. The country between these two lakes is very well situated and the soil very fertile. The banks of the Streight are vast meadows, and the Prospect is terminated with some hills covered with vineyards, trees bearing good fruit, groves and forests so well disposed that one would think Nature alone could not have made, without the help of Art so charming a prospect. The country is stocked with stags, wild goats, and bears which are good for food, and not fierce as in other countries ..... Those who shall be so happy as to inhabit that noble Country cannot but remember with gratitude those who have discovered the way, by venturing to sail upon an unknown Lake for above 100 leagues." Yet is it certain that Jolliet passed down the St. Clair and Detroit rivers in 1669 and that Dollier and Galinée were there in 1670. Moreover, the early voyagers by canoe were surely as bold as Hénnepin, who had the comparative comfort of a sailing ship of sixty tons.

By 1685 the north shore of Lake Ontario and the entire Lake and River coast-line of the present Province of Ontario were thoroughly known. There was a fort at the site of Kingston; two or three missions had been established under Sulpician direction; a fort on the east side of the Niagara River had been built, and there were missions at Michilimackinac and at the Sault under Jesuit control. The Hudson's Bay Company was chartered in 1670 and claimed the whole northland. The discovery of the Mississippi in 1673 by Jolliet and Father Marquette, and the subsequent explorations by De La Salle along this great waterway confirmed the ownership of France, as proclaimed in 1671, to the mid-Continent. The New England region was British. The fur trade was being organized and was conducted under conditions of rivalry. It was found that the Indians were generally willing to sell their furs to the first bidders. Therefore English and French sought to place trading posts at points convenient to the junction of main trails and waterways. De La Salle wrote in his Memoir of 1684 that almost all the peltries purchased by the English came by Lake Ontario, except such as were brought from the Illinois country by way of the Ohio River. He continued: "The English have attempted

by means of the Iroquois to attract the Ottaouacs to themselves. They were to go to them by the route leading from Lake Huron to the village called Teiaiagon (on the Humber) and would have effected it had not M. de Frontenac interposed his fort." De Nouville wrote to the Ministry on October 9th, 1686: "M. de la Durantaye is collecting people to fortify himself at Michilimackinac, and to occupy the other passage at Toronto, which the English might take to enter Lake Huron. In this way our Englishmen will find somebody to speak to." The population of the whole of Canada according to the French census of 1685, was 10,725 French, and 1,438 Indians. There were 1,877 houses and 41 mills. This was in the territory from Tadousac to the Gulf of Mexico.

Theoretically the Governor at Quebec held a monopoly of the fur-trade for the French Crown. He issued licenses to various traders but found it next to impossible to guarantee them against competition. Independent, unlicensed traders plunged into the woods and bought peltries in defiance of the Government. On more than one occasion the Governor granted permission to the Iroquois to plunder the independents, but the illicit trade continued. The English market was always open. Moreover, New England traders were often found on territory claimed as French, doing business with tribes which supposedly were under French influence. There was continual bitterness between the Governments at Boston and at Quebec, and the periodical conflicts between England and France in Europe and on the sea, did not tend to ease the relationship.

Detroit was the crossing-place of all main land and water routes west of the Alleghanies and was a natural trade-centre. From 1701, when the first fort was established by La Motte Cadillac, a Gascon gentleman of long military experience, Detroit had a large place in the annals of New France. Twenty years after its foundation Father Charlevoix, the traveller, was at the Strait, and as a result of what he saw urged the Jesuit Superior at Quebec to establish a mission there. A remnant of the Huron nation, some Petuns and Neutrals were settled on the east side of the river and also on the Bois Blanc Island. The Miamis had a village near by and there was a strong settlement of Ottawas. Cadillac had said of the Hurons: "This is the most industrious nation that can be seen; they scarcely ever dance, and are always at work, raise a large amount of corn, peas, beans, and some grow wheat. The soil they cultivate is very fertile; the corn grows to the height of twelve feet"—as it does even yet in that neighborhood.

In 1728 Father de la Richardie was sent by the Jesuits to Detroit. The Fort and settlement about it were under the ministry of the Récollets, therefore the Jesuit crossed the river and established the Mission of L'Assomption, where the town of Sandwich now stands. He also took under his care the Huron village on Bois Blanc. Assistance came in 1744 when Father Pierre Potier arrived and took charge of the Island mission. In 1746 he came to the Fort and soon afterwards was at Sandwich with Father De La Richardie. On the withdrawal of the latter to Quebec,

Father Potier became superior of the mission, and lived alone in Sandwich for over thirty years ministering to the needs of his Huron charge. In 1781 some of his Indian neighbors noticed that no smoke was rising from his chimney. Entering the mission house they found the priest lying dead on the floor of his living room, his skull having been fractured. He had been seized presumably with dizziness while winding his clock, and had fallen against one of the andirons on his hearth.

Father Potier had occupied his leisure by writing a Huron Grammar and Dictionary in a manuscript as small as Pica print. He made pasteboard and bound his work most efficiently in deerskin. Three of these volumes are preserved in the Archives of St. Mary's College, Montreal. They have been printed in fac-simile by the Ontario Archives. In the account-book of the Detroit Mission from 1740 to 1748 reference is made to Jean Baptiste Goyau, who cultivated the Jesuit farm on the Island, to Jean Cecile, the blacksmith, who built the church and mission house for 635 livres, and to many other individuals whose names are still familiar in the neighborhood—for instance, Hyacinthe Réaume, Gaudet, Gervais, Campeau, De Marsac. A complete list of the names mentioned is to be found in the 1918-19 Report of the Ontario Archives.

In 1751 the Abbé François Picquet made a journey by canoe from the mission of La Presentation (Ogdensburgh) founded by him in 1749, to Niagara, following the north shore of the Lake. He was greatly impressed by the beauty of the country.

Fort Rouillé, built at Toronto in 1749 was merely a trading post. The same can be said of the forts of the west and along the Ohio. When the Seven Years' War began the French military force was strengthened in order to hold a country that, for the most part, was not being settled. The Regiments of Béarn, Guienne and La Sarre were sent to Canada, and these veterans found themselves in garrison at Fort Frontenac or at Niagara guarding an unpeopled wilderness. M. Pouchot, a captain in the Béarn Regiment, was sent to Niagara in 1756 with authority to complete the fortifications, and to construct there a fortress according to the plans of M. de Vauban, the famous French military engineer of Louis XIV's period. Redoubts, half-moons, covered ways—all were provided on a front of 120 toises. Since the toise was equivalent to 6.39 English feet, the fort was immense and might have served for the Rhine frontier. Pouchot's Memoirs have been published and make interesting reading.

In 1684 a detachment of 500 soldiers was sent to fortify Fort Frontenac, the journey from Montreal by flat boats occupying twelve days. Five or six men were drowned in the Rapids and after the fort was reached above 80 died from disease. Six years later scurvy appeared in the small garrison, closely invested by the Iroquois, and Denonville gave orders that the fort should be blown up. Count Frontenac, who succeeded Denonville as Governor, countermanded the order, and the place remained a fortified French post, of variable efficiency until 1758 when it was captured by the English

under Col. Bradstreet. He embarked at Oswego with 2,700 Provincials, of whom 1,100 were New Yorkers, and 42 Indians, under Chief Red Head. The operations against Fort Frontenac were described (with some incoherence) by Thomas Butler in the following official report:

"Early in the morning of the 26th (of August) we landed our cannon and drew them near the fort, upon which we fired and they at us, which lasted the whole day, and not one of our people hurt. In the night we got two entrenchments made within two hundred yards of the enemy's fort. The enemy fired away briskly with cannon and small arms at us all this night, with but little fire from us, only once in a while a bomb. On the 27th our cannon playing on the fort very briskly which the monsieurs finding too hot came out to capitulate, and about twelve o'clock we took possession. The remainder of the day was spent in destroying the fort, shipping, etc., of which there were nine, and not one escaped. In the evening the French, being about one hundred and fifty men went to Canada according to agreement, but are to return the like number of prisoners, among whom is to be Col. Schuyler. It's undescribable the quantity of stores we found here. We have a brig and a schooner which we keep to carry plunder to Oswego. In the whole of this action we have not lost a man, and only two or three slightly wounded. One of the enemy had his thigh shot off, whom Red Head scalped. They lost some by the bursting of their cannon, and some wounded by our shot."

A Postscript to this despatch signed by Sir William Johnson declared that the enemy had not one vessel left on Lake Ontario.

This was the answer to the success of the French under Montcalm in 1756 when the English fort at Oswego had been captured and destroyed.

The expedition for the reduction of Fort Niagara consisted of 2,200 regulars and Provincials under General Prideaux, and 943 Indians under Sir William Johnson. The force left Oswego on July 1st, 1759, and invested the fort on July 7th. On the 19th General Prideaux was killed by the bursting of a shell carelessly discharged by one of the English gunners and Johnson succeeded to the command. He pressed the siege and the bombardment was so severe that by the 22nd a practicable breach was made in the "flag bastion." Meanwhile the French general D'Aubry collected from Detroit and the neighborhood a force of 1,200 men and advanced to take the English in rear. Johnson's scouts gave him full information of the progress of this expedition and on July 24th he detached a considerable force and marched with it along the River road towards the Falls. There was a smart fight, ended by an impetuous English charge. D'Aubry and eighteen other officers, with 96 men were captured and about 150 French were killed. Returning to Niagara Johnson sent the news to Captain Pouchot within the fort and summoned him to surrender before the Indians would get out of hand. On the morning of July 25th the fort capitulated, and 11 officers and 607 men were made prisoners of war. These were sent to England by way of Oswego and New York. The women and children in the Fort were sent to Montreal.

Following the fall of Niagara, Fort Levis on Chimney Island, about three miles below Ogdensburg, was reduced, and then on September 13th,

1759, Quebec yielded to the British forces under Wolfe. The capitulation of Montreal did not take place until September 6th, 1760, De Vaudreuil signing the papers. Four days afterwards Major Robert Rogers was ordered to take possession of Detroit and the other western French posts. He left within twenty-four hours of the issue of the order, having fifteen whaleboats and 200 men. The journey from Lachine to Fort Frontenac occupied twelve days, from September 11th to September 23rd; then the expedition rowed along the north coast of the Lake and by October 1st was at Niagara. Rogers was a native American, an expert in border warfare, a scout of parts, and one who was thoroughly at home in negotiations with the Indians. His book on the war and his journal show him as an excellent observer. He and his party were detained for a day or two at the site of Fort Frontenac on account of a wind accompanied by rain and snow. "We improved our time," he wrote, "in taking a plan of the Old Fort situated at the bottom of a fine, safe harbour. There were about 500 acres of cleared ground about it, which, though covered with clover, seemed bad and rocky, and interspersed with some pine trees." He mentioned that game was plentiful along the North shore, and twice stress of weather drove the party to beach their boats and go hunting. On the 30th of September after a run of 70 miles the expedition reached the "Toronto River." Major Rogers found a clearing of about 300 acres around the place where the French formerly had a fort. He added, "I think Toronto a most convenient place for a Factory (or trading-post) and that from there we may very easily settle the north side of Lake Erie."

After refitting at Niagara the party crossed Lake Erie to Presqu'isle and remained encamped while Major Rogers proceeded to Fort Pitt (Pittsburg) with despatches from General Amherst. On his return half the men were sent by land, and half by water, to Detroit, arriving there on November 29th. Rogers received the capitulation of the Fort from De Belestre, the commandant, administered the oath of allegiance to such settlers as were remaining in the neighborhood and had an unpromising interview with an Ottawa delegation from Pontiac, a shrewd and accomplished chief. Despite the severe weather the Major, and 37 men, attempted to go by Lake Huron to Michilimackinac, but were forced to turn back by reason of floating ice and rough weather. From Detroit, Rogers proceeded to Sandusky, to Fort Pitt, to Albany, Philadelphia and New York, arriving there on February 14th, 1761.

Sir William Johnson was in Detroit in 1761, for there were rumors that the Indians were uneasy. Two years later Pontiac had completed a scheme for a simultaneous attack upon twelve British posts along the whole frontier. The plan for the reduction of Detroit and Michilimackinac was for the Indians to accept an armistice, and to celebrate it by a lacrosse game to which the British officers of the garrison should be invited. The warriors being unarmed it was expected that the British would be thrown off their guard. As if by accident the ball was to be thrown into the Fort; then as

the braves pursued it, the Indian women were to produce weapons from beneath their blankets. The stratagem succeeded to admiration at Michilimackinac, but at Detroit the Indian mistress of a British officer gave warning of the enterprise afoot and secret preparations were made to meet it. Pontiac, when the signal was given, found himself checkmated. The Fort was besieged for six months but was relieved by a force under Colonel Bradstreet in 1764.

## CHAPTER II.

### THE AMERICAN LOYALISTS.

Even before the quelling of Pontiac's conspiracy the colonists in the New England States were incensed at the British Navigation Laws, and restive under taxation. For nine years the quarrel continued, being stimulated by reckless and disgruntled adventurers, growing ever sharper, and causing isolated acts of violence. Then on March 5th, 1770, a Boston mob provoked some British soldiers into firing, and five or six colonists were killed. This affair became known as "the Boston Massacre" and was a portent. Within the next six years the States were ripe for revolt. One of the immediate causes of the Revolution was found in the concessions granted to the French Roman Catholics by the Quebec Act of 1774. The stated boundary of Quebec extended to the Ohio and the Mississippi; thus a French Catholic hinterland was established in territory that the non-Catholic New Englanders had hoped to colonize. While a majority of the people in the Thirteen States were of revolutionary temper, a strong minority was on the King's side throughout the struggle. About 20,000 Loyalists took up arms and fully thirty corps were regularly organized, fighting under British officers. Among these were the King's Rangers, the Royal Fencible Americans, the Queen's Rangers, the King's Royal Regiment of New York, the Prince of Wales' American Volunteers, etc. On October 15th, 1777, Captain John Graves Simcoe, of the Grenadiers, was made a Provincial Major and given command of the Queen's Rangers, a light infantry force uniformed in green, and intended for irregular and partisan service. The corps made a name for itself and frequently had the position of honour—and danger—in the fighting. It was a part of the command of Cornwallis when that officer was forced to surrender at Yorktown.

The generalship on the British side during the American Revolution was at a dead-level of dullness, but the corps-commanders and the soldiers had a creditable record. The native Loyalists were moved by political rancour and had all the true Tory contempt for the Whig theories and the Whig armament. They were in the field to punish traitors and imagined themselves official executioners rather than ordinary soldiers. So they were lofty and arrogant in thought, eager in fight, and much too crisp in temper. The Revolutionists were fully as surly in contemplation of old neighbors in fighting array against them, and consequently the by-products of the war were not pleasant; sudden raids upon unprotected communities, isolated acts of revenge, tar-and-feather parties, and Lynch-law. Neither side was free from blame for such actions. The effect of them was to intensify the bitterness of the quarrel. When the Revolution succeeded, against all expectation and, in the Loyalist view, against all reason, the successful party was in a mood to wreak vengeance upon the Tories. Wash-

ington himself was incensed against them. The Tories reciprocated the feeling, and their anger was accentuated by the ruin of all their hopes, political and personal. They regarded the United States of America with hot indignation, and the leaders of the Republic with loathing.

William Johnson, an Indian agent under the British Government, who had genius, initiative and diligence, defeated the French General Dieskau at the Battle of Lake George in 1755 and won Fort Niagara in 1759. He was rewarded with a baronetcy, and for twenty years following was perhaps the most powerful man in the Colonies. The Indians believed in him, admired him as a just man, and fought with cheerfulness beside him. Near his home in the Mohawk Valley lived an Indian lad named Thayendenaga, the step-son of a Mohawk known as Brandt or Brant, and the brother of a young girl, Molly, whom Sir William Johnson had married after the Indian rite. Thayendenaga's English name was Joseph Brant. He was intelligent, quick and ambitious to excel, and so found a friend and mentor in Sir William Johnson who, in 1761, sent him to school at Lebanon, Connecticut. The teacher was Dr. Eleazar Wheelock, who afterwards founded Dartmouth College. Brant profited by two years of instruction, building upon his natural Mohawk dignity a superstructure of courtliness, acquiring proficiency in English and accepting the tenets of official Christianity.

He was again with his tribe in 1763, and probably he marched with Sir William Johnson to the relief of Detroit, besieged by Pontiac, the chief of the Ottawas. In 1764 he married and settled near Johnstown, New York. Isaac and Christiana were his children by this first marriage, and during a ten-year period of domesticity and trade he assisted Rev. John Stuart, a missionary, in translating a portion of the New Testament into the Mohawk tongue. In 1774 on the eve of the American Revolution Sir William Johnson died and was succeeded in the Baronetcy by his son John. His nephew, Colonel Guy Johnson, became chief Indian Agent, with the considerable task of holding the tribesmen faithful to their formal alliance with King George. Brant became Colonel Guy Johnson's secretary, and in 1775 made a diplomatic journey to the Oneida country. When Sir John Johnson found it necessary to lead his Loyalist friends and followers over the northern border, Brant accompanied him and was in Montreal when Ethan Allen vainly tried to surprise and capture the city for the Revolutionists. At the latter end of the year Brant went to England accompanied by Captain Tice, and was welcomed with great cordiality by the Court and by many social leaders, notably Earl Percy, afterwards Duke of Northumberland. He was familiar with James Boswell and Sheridan; George Romney, the most eminent artist of the day, painted his portrait. In 1776 he returned to America and throughout the Revolution was engaged in guerilla warfare against the rebels, operating sometimes with Butler's Rangers, sometimes with his own Mohawk followers; for by this time he was a chief in everything but lineage. Native and cultivated ability had overcome descent, as often it has done in every part of the world.

His name became a terror on the frontiers of the States, and rumour charged him with every crime in the calendar—though not with justice. Fantastic tales of the murderous treachery of Brant found their climax in the fable of Wyoming which Thomas Campbell, the poet, (*) immortalized in verse. Instead of a massacre it was a battle between 500 of Butler's Rangers and Seneca Indians and 800 American militiamen; "the monster Brant" was not even present. Nevertheless there were cases of cruelty when settlements were devastated. War is not a parlour game, and irregulars never have been squeamish—whether white or red. Moreover the Revolutionists themselves were far from courtly in their dealings with Tory individuals and settlements.

Those Indian tribes which had continued their allegiance to King George had earned the hatred of the rebels. Attack was succeeded by counter-attack, raid by counter-raid, atrocity by reprisal. When the Revolution was successful a punitive expedition was sent against the Senecas and Cayugas and their country was devastated. The Six Nations (now enlarged by the adhesion of the Tuscaroras) were forced to take refuge under the British flag. In 1783 and 1784 Brant ranged over Upper Canada and at last chose suitable territory for the settlement of his people.

His first application was for lands on the Bay of Quinté. A grant was made in the neighbourhood of the present town of Deseronto and twenty Mohawk families under Captain John settled there as a vanguard of the tribe. But the Senecas protested. They knew that the Americans had no reason to love them, and while they were remaining on their home-lands in Northern New York just east of the Niagara River, they desired the Mohawks for their near neighbours in case fighting might be necessary. Accordingly Brant applied for land on the Grand River. The grant was recorded in the following Minute of Council dated October 25th, 1784:

"Whereas His Majesty having been pleased to direct in consideration of the early attachment to his Cause manifested by the Mohawk Indians, and of the loss of their settlement which they thereby sustained, that a convenient tract of land under His protection should be chosen as a safe and comfortable retreat for them and others of the Six Nations who have either lost their settlements within the territory of the American States or wish to retire from them to the British; I have at the desire of many of these His Majesty's faithful allies, purchased a tract of land from the Indians situated between the Lakes Ontario, Huron and Erie, and I do hereby in His Majesty's name authorize and permit the said Mohawk Nation and such other of the Six Nation Indians as wish to settle in that quarter to take possession of and settle upon the banks of the river commonly called Ouse or Grand River, running into Lake Erie, allotting them for that purpose six miles deep from each side of the River beginning at Lake Erie and extending in that proportion to the head of the said River, which they and their posterity are to enjoy forever."

In later years there was a dispute as to the exact extent of the lands, and in 1793 it was determined that the tract should end at the point where the

*Always some intellectual Englishman can be found eager to believe the worst of a British soldier, and to accept like a greased bolus the wild tales of an enemy. Thomas Campbell was not the last of the breed.

River was intersected by a line running due northwest from the mouth of Burlington Bay. Thus it included some four miles of the River in the present Township of Nichol. The northern extremity of the grant was near the present town of Elora, about 90 miles from Lake Erie, following the course of the stream. As the lands had a width of 12 miles the concession was, roughly, about 1,000 square miles, 640,000 acres. On a modern map of Ontario the grant can still be traced by county or township lines.

From 1755 British Governors in the Colonies of North America had had clear instructions not to permit land settlement by whites on territory reserved to the Indians. The first general rule was that all land west of the Alleghanies was for the tribesmen, but the pressure of circumstances compelled the variation of that rule. Adventurous traders and frontiersmen, finding regions actually unoccupied were likely to settle, in spite of regulations. The Governors from time to time made new arrangements with the Indians, purchasing lands, and seeking to give them reasonably fair treatment; at the same time they issued warnings to unauthorized white squatters. For forty years that was the condition of affairs under the British flag. The changed régime in the States after 1783 gave more freedom to frontiersmen, particularly since some Indian tribes had been found on the British side, to the great scandal of the rebels. While reserving to themselves full freedom of action in the manner of their warfare, the Revolutionists had seemed to imagine that the British would confine themselves to chivalrous fighting, in order to preserve their Moral Sense!

The desire of Brant and the Mohawks to settle in the western part of the Province of Upper Canada had made it necessary for the Government, following its usual custom, to secure a quittance of the claims of resident Indians. On May 22nd, 1784, there was a meeting at Niagara of Mississauga Indians, under Chief Pohquan, with the following British officials: Lieut.-Col. John Butler, Lieut.-Col. Hayes, 34th Regt., Capt. Forbes, 34th Regt., Capt. Hamilton, 34th Regt., Major Potts, of the Rangers, Capt. Parke, of the 8th Regt. of the Garrison, Nicholas Stevens and William Bowen, interpreters. Col. Butler said: "I have received the Commander-in-Chief's order, through Sir John Johnson, to purchase some land, the property of you, the Mississaugas, lying between the Lakes Ontario, Huron and Erie, for the use of such of your brethren of the Six Nations as may wish to plant and hunt thereon, as well as for intended settlement for such of His Majesty's faithful subjects who have assisted him in the late war, as wish to settle and improve the same." The Mississauga Chief responded that his people were willing to sell the lands enclosed by a line drawn from the creek Wayhguata (joining Lake Ontario and Burlington Bay) to the River La Tranche (Thames), then down that River until a south course would strike the mouth of Catfish Creek on Lake Erie (Port Bruce). The consideration was £1,180, 7s. and 4d. The next purchase, also from the Mississaugas, was made by Sir John Johnson at a Council held at the Carrying

Place near the present town of Trenton on Sept. 23rd, 1787. It secured 250,880 acres, the block being bounded by the Etobicoke River on the west and the extreme point of Ashbridges' Bay on the east, and consisting of a rectangular block running 28 miles northward—roughly, to the northern boundary of King and Whitchurch Townships, York County. While the deed mentions only the sum of ten shillings paid in hand, it specifically declares that the transfer is "for divers good and valuable considerations received by the Chiefs, for and on account of their said Nation from our Lord the King." From the Chippewas on May 15th, 1786, the Government acquired certain lands near Detroit and in May, 1790, all the north shore of Lake Erie, west of the Mississauga purchase of 1784. The northern part of the Province was held mainly by Chippewas and was acquired by purchase as needed for settlement. Usually the price was paid in goods; such as blankets, kettles, pipes, tobacco, coloured cloth, silk handkerchiefs (at 60s. a dozen), knives, Irish linen, gunpowder (at 1s. 10d. a pound), rum (at 7s. a gallon), and various other commodities valued highly by the natives.

Brant and his immediate friends established a village at the site of the present city of Brantford and in 1784 or 1785 the British Government built them a church; the first Anglican house of worship in Upper Canada. The Indians brought to it the communion plate given to the tribe by Queen Anne when they were living on their ancestral lands, seventy years before. In later years the Governor of Canada conveyed to Captain Brant in recognition of his services a land grant at Burlington. There he built a notable home known as Brant House and lived in English style until 1807, served by a number of negro slaves which he had captured in his fighting days over the southern border. His first wife had died before the Revolution. Brant married her half-sister, Susanna, who died without issue. His third wife, Catharine, bore him three sons and four daughters. Representatives of seven of the most notable Indian tribes of America settled in the Grand River region—Senecas, Cayugas, Onondagas, Oneidas, Mohawks, Tuscaroras and Delawares.

Peace between Great Britain and the United States was signed at Paris on November 30th, 1782, and proclaimed on September 3rd, 1783. The British peace commissioners surrendered without adequate reason to the United States that empire known to-day as the American Middle West, but secured as a makeweight an undertaking from the United States Government to recommend to each of the States the passage of a general amnesty Act. This suggested measure was for the protection of Loyalists in the Republic. The request of the President was flouted by all the States save South Carolina and the Federal Government was not strong enough to require observance of the spirit of the treaty. The continued persecution of "Tories" forced many thousands of them into exile, and under these circumstances Great Britain resolutely refused to implement the section of the treaty fixing the boundary between Canada and the United States. For that reason Niagara remained a British fort, and red-coat garrisons still sat at Detroit, at Oswego and at Michilimackinac.

The Loyalists had a sore experience. Those of the Southern colonies went to the West Indies. The Tories of New York and the New England States went northward. About 3,000 claimed compensation from the British Government, and by 1790 1,680 of these claims had been allowed with a total award of £1,887,548. By far the greater number made no direct claim, but emigrated to the Canadian woods and were given grants of money, supplies and land by the Government of Canada. It is estimated that the compensation for losses reached $18,000,000 and the land grants 3,000,000 acres.

Among the Loyalists of Tryon County, New York, afterwards re-named Montgomery County, the most noteworthy were the Macdonells, formerly of Glengarry, in the Scottish Highlands. They had been brought to America through the instrumentality of Sir William Johnson in the reconstruction period following the last of the Jacobite uprisings. After Culloden, the pacification of the Highlands was undertaken and carried out by a series of enactments which were effectual, and not wholly unjust. The Government, while stripping the heads of the Clans of a great part of their authority, appropriated £150,000 as compensation. Furthermore, although the use of the national dress had been proscribed, Col. Simon Fraser was permitted in 1757, only eleven years after the defeat of the Young Pretender, to raise a regiment of kilted Scots for service in America. This regiment took an important part in the Battle of the Plains of Abraham, and (what was more important) established a precedent of Highland loyalty to the House of Brunswick.

The Macdonells of the Mohawk Valley were steady in their devotion to Sir William Johnson, and accepted his political views as their own. Therefore when the American Revolution began, the clansmen were unanimously on the King's side and enlisted freely in the King's Royal Regiment of New York, in the 84th or Royal Highland Emigrant Regiment, and in Butler's Rangers. Not fewer than sixteen officers on the establishment of these three corps bore the name of Macdonell. Seven served in the first battalion of the King's Royal Regiment, five being Captains. After the war when these regiments were disbanded the men were given lands in the most easterly of the townships of Upper Canada, which naturally enough was named Glengarry.

Concerning the 84th there was a King's promise, as appears in the Instructions to Lord Dorchester, dated August 23rd, 1786: "Whereas upon the raising and establishing the Corps late the 84th Regiment of Foot, We did promise and declare that the officers and privates of the said Corps should be entitled to and receive grants for certain allotments of lands in proportion to their respective ranks therein, it is Our Will and Pleasure that you do in manner as hereinbefore directed grant warrants of allotment and survey to such of the officers and privates of the late Eighty-Fourth Regiment of Foot, now reduced, who shall be willing to settle and become Inhabitants of our said Province of Quebec, and shall apply for such quantities of land as they shall be respectively entitled to. In consequence of Our said promise and declar-

ation contained in Our Instructions to Our Governors of New York and North Carolina and dated the 3rd April, 1775; that is to say: To Field Officers, 5,000 acres; Captains, 3,000; Subalterns, 2,000; Non-Commissioned Officers, 200; Privates, 50—and that the Surveys be made and grants for the same delivered free of expense as hereinbefore directed."

Governor Haldimand had suggested in 1779 that crops might be raised on the west side of the Niagara River so that there might be stores on hand for the relief of Indians and refugees who were continually resorting to the Fort, driven by the storm of war. The proposal was approved by the British Government; authority was given for the issue of rations and simple tools to settlers, and it was understood that surplus products would find a market at the Fort. In 1781 Lieut.-Col. John Butler declared that four or five families newly settled would require for seed sixty bushels of Spring wheat and oats, twelve of buckwheat and a barrel of Indian corn. Peter and James Secord, two of the heads of families, were about to build a saw and grist mill. A census of the new settlement was taken by Col. Butler, its godfather, on August 25th, 1782. Besides the Secords already mentioned, there was another brother, John. The others mentioned as being established were George Stuart, George Fields, John Depue, Daniel Rowe, Elijah Phelps, Philip Bender, Samuel Lutz, Michael Showers, Harmonious House, Thomas McMicking, Adam Young, McGregor Van Every, and Isaac Dolson, (or Dolsen). There were sixteen families consisting of eighty-three persons. One was a slave, owned by McMicking. Cleared land made an aggregate of 238 acres. There were 206 bushels of wheat, 930 bushels of corn, 46 bushels of oats, 600 bushels of potatoes, 45 horses, 55 cattle, 88 hogs, and 30 sheep.

The end of the Revolutionary War brought an influx of settlers to the district. In 1783 there were forty-six families, and 713 acres were cleared. Daniel Servos was settled at Virgil (Four Mile Creek) by 1788, and at Eight Mile Creek Allan MacNab and his wife, Anne Napier, had established themselves. Their son, Sir Allan Napier MacNab, became Prime Minister of Canada.

In the times of the French War a Provincial soldier of New York State, one Captain Michael Grass, had found himself a prisoner in old Fort Frontenac. More than twenty years later, being of Tory habit of thought, he left his farm about thirty miles from New York City and sought the protection of the British garrison. Sir Guy Carleton commanded in New York and was not a little embarrassed by the number of refugees, attached rather loosely but effectually to his army. Therefore he summoned Captain Grass to Headquarters and asked him if he would be willing to lead a party of Loyalists to Canada if ships were provided. The General also asked if the Captain knew anything about the nature of the country in the vicinity of old Fort Frontenac, or Cataraqui. Grass was enthusiastic on the second point, and willing on the first. Accordingly a party sufficiently large to require seven vessels was collected and in the summer of 1783 the flotilla started northward. The voyage was tempestuous and the ships got only as far as Sorel when the

Winter closed in. Early in Spring the journey up the St. Lawrence was completed. At this time the Seigniory of Sorel was the property of the Crown.

Before the Revolutionary War Major Samuel Holland of the Royal Engineers was Surveyor-General of the Colonies north of Virginia. He had first come to America with Wolfe and had served in the Louisbourg and Quebec campaigns. At the outbreak of trouble in the Thirteen States he returned to Quebec and was appointed Surveyor-General of Canada under Sir Frederick Haldimand, the Governor. He directed the first surveys of Upper Canada, when the territory was still a part of the Province of Quebec, and the village of Holland Landing commemorates his name. On June 26th, 1783, he wrote to Haldimand reporting on the appearance of the Upper St. Lawrence country, as observed by him between May 26th and the date of his communication. Joseph Brant and a Mohawk named Johun accompanied him from Quebec to Montreal, with the intention of going farther to discover suitable lands for the re-settlement of the tribe on British territory. Illness detained Brant at Montreal and Holland proceeded without him—although in a few days the Indians followed and met him at Cataraqui.

The Surveyor-General in company with Captain La Force of the Engineers left Lachine on June 3rd. They found the north shore generally most promising as an agricultural region and remarked the fine timber "fit for building vessels" and the excellent pine which would serve for masts. After calling at Carleton Island which at that time was a British fortified post—although now within the United States—they viewed the remains of old Fort Frontenac on June 12th, surveyed the harbour and made arrangements for the re-establishment of the Fort. With Brant they examined the land and the lakes in the back country, but the Indian, with racial taciturnity, did not say whether he liked the situation or not. Major Holland returned to Quebec having directed Captain La Force, Mr. Kotte and Mr. Peachy to survey the north shore of Lake Ontario all the way to Niagara. Brant accompanied this party.

During November, 1783, Kingston, Ernesttown, Fredericksburg and Adolphustown were surveyed by J. Collins, Deputy Surveyor-General, assisted by Captain Sherwood and Lieut. Kotte. The progress of the first settlements in 1784 is summarized by the Ontario Archives as follows: "The first townships were not named, but numbered consecutively, from east to west along the St. Lawrence from Pointe au Baudet to Elizabethtown, 1 to 9; the second series westward began at Kingston and numbered ten. Townships 1 to 5 above Lake St. Francis were occupied by 1,462 of the King's Royal Regiment of New York, and those from 6 to 8 by 495 of Jessup's Corps. Of the five Townships of Cataraqui Captain Grass's party of 187 took the first; 434 of Jessup's Corps, the second; 310 of the King's Royal Regiment of New York, and Major Robert Rogers with 229 men, the third; Major Vanalstine and party, and some of Rogers's men, the fourth, and 303 soldiers of various regiments, a part of the fifth—a total of about 3,800 married and single men.



FORT HENRY, KINGSTON



KAMINISTIQUIA RIVER NEAR FORT WILLIAM

Butler's Rangers settled at Niagara and westward to the Detroit River. By 1789 17,000 were settled above Montreal, and in 1790 about 25,000. In 1783 the Government gave authority to Robert Clarke to erect a mill in rear of Kingston. The site was at Lock No. 1 of the present Rideau Canal.

The town plot of Kingston was laid out in 1784 and within a year contained about fifty houses. Rev. Dr. John Stuart (*) the first Anglican clergyman, came in 1785 as Chaplain to the garrison and held services in a large room in the barracks. His stipend was £150, of which the Government provided £100 and the Society for the Propagation of the Gospel in Foreign Parts the rest. In 1790 £90 was raised towards the building of a church and work was begun in February, 1792.

In 1786 the 53rd Regiment was in garrison at Detroit and other Upper posts. Major R. Mathews was on leave, living in Quebec and serving on the staff of the Governor-General, when news came that the western Indians were likely to be troublesome. The Major insisted that he be allowed to rejoin his Regiment. Securing Lord Dorchester's permission he set out in February, 1787, for Montreal and prepared for the long journey westward as soon as the ice would break up. He started from Coteau on May 17th, and set down the occurrences of each day in a journal now preserved in the Library of the Ontario Department of Education. The value of the Diary lies in the direct mention of practically all the first settlers along the Upper St. Lawrence. The following extracts may be of particular interest to the people of the River towns to-day:

"May 18th.—At Point au Baudet, where one McGee, formerly in Sir J. Johnson's corps, has a settlement on which he has made very rapid progress. On the way we passed Lieutenant Sutherland's settlement situated in a deep bay.

"May 19th.—Passed Mr. Falconer's settlement and landed at a small house within two miles of Captain Alexander Macdonell's. The situation here delightful and the soil very fine. He has cleared a good deal of land. We proceeded a mile farther on foot to Mr. Wilkinson's. He is situated close to the River, by a fine creek where he is erecting a Potash (plant) and means to build a mill. There are two inconsiderable settlements above this and then an interval of four miles belonging to the St. Regis Indians. (†) The first settlement from this interval is strikingly beautiful, situated upon an easy, regular slope facing the south, deep in a bend of the River. . . . A fine island richly clothed with wood and some meadow-ground before it. I believe it is the property of Major Gray. Got on this evening to the lot of one Nave of Sir John Johnson's corps. He is married to a very young woman and has a man who was taken prisoner at Quebec in the '75 to assist him on his farm. He is married to a Canadian woman, and these two couples live together in the same house, consisting of a single room, but the neatest and most cleanly I ever saw.

*Dr. Stuart was a native of Pennsylvania and before 1770 had lived near Harrisburgh. In that year he was ordained in London, and then returned to America settling at Fort Hunter where with the assistance of Joseph Brant (as has been related) he translated part of the New Testament and the Book of Common Prayer into the Mohawk tongue. In the Revolutionary times he was a Loyalist and by 1781 had found his way to St. Johns, Quebec, and thence to Montreal, where he became deputy-chaplain to the Sixtieth Regiment. He became chaplain at Kingston at his own request, and before the appointment was regularly made he visited Niagara, arriving there on June 18th, 1784.

†Iroquois; originally at Caughnawaga.

"May 20th.—Proceeded at four next morning. Passed the Long Sault about two o'clock and got to Captain Duncan's about six in the evening. Then two miles to Thompson's, who was in Sir John Johnson's corps. Much ground cleared. Married to an old Dutch woman.

"May 21st.—Two miles on to Captain J. Munro's. Halted here two hours and proceeded to Major Jessup's by four in the evening. (Prescott). Walked with him over the front of his lot which is situated opposite the Fort of Oswegatchie. He has not yet built but he has most of the materials collected and has cleared a great deal of land. I thought this lot in point of situation, regularity of ground and goodness of it superior to any I have yet seen. The Major came on board and proceeded with us to Captain Sherwood's about four miles farther. He has built a tolerable house upon his farm lot in New Oswegatchie, and some distance from his farm, and already has a Potash (plant) going forward. We got on board and continued to a small house, the next to Lieutenant James Campbell's of the Loyal Rangers. We put up here for the night about eight o'clock. The master of the house had been a sergeant in Major Jessup's corps.

"May 22nd.—Got on board at four in the morning being nine miles from Oswegatchie and about sixty from Carleton Island. At eleven we breakfasted upon a rock, one of the Thousand Isles, and now having passed all the settlements agreed with the Canadians to make Carleton Island."

Major Mathews went on to Niagara and reported that the Fort was in a "very defenceable state." He learned that the settlers about Niagara were dissatisfied concerning the nature of their land tenure and because of alleged discrimination against them in the issue of supplies. Moreover they had complaints against at least one of the Justices of the Peace. The settlement of John Burch at Chippewa Creek was praised. He had a saw-mill and a good grist mill, and had laid out about £1,400. The Creek was settled for about ten miles from its mouth. On the first plan of the district, preserved in the Ontario Archives, the names of Andrew Millar, John Rowe, and the Widow Bryan appear as Burch's neighbours.

After visiting Fort Schlosser at the Falls and Fort Erie, Major Mathews sailed up Lake Erie to Detroit and mentioned the settlements "about a mile up the river of Captains Bird, Calder (Caldwell) and Elliot." Concerning a possible land route from Niagara to Detroit he wrote: "Mr. Goddard, (*) I recollect, went from Niagara (upon a very particular service in the year '76) to Detroit by a short route from the head of the Lake. Some useful information may perhaps be obtained from him."

On the east back of the Detroit River south of Sandwich the first landholders before 1786, were Alexander McKee, Wm. Caldwell, Chas. McCormack, Robt. Eurphleet, Anthony St. Martins, Matthew Elliott, Henry Bird, Thos. McKee, Simon Girty. They had acquired their holdings, opposite Bois Blanc Island, directly from the Indians which was contrary to the land regulations. The policy of the British Government, as we have shown, was for

*One James Stanley Goddard was employed during the war of the American Revolution in the Indian Department. He was still in that Department in 1785. In 1792 he applied for a grant of land in the township of Farnham, Lower Canada, but was refused, as it appeared that he had already received an order for a grant elsewhere.—Communication from the Public Archives of Canada.

the King to purchase the Indian land, paying either in money, or in goods at current Montreal prices, and then to grant it to intending settlers. There were many reasons favouring this arrangement. The Indians were protected from impoverishing themselves to acquire some worthless bauble from a designing trader, the settlements were protected from Indian raiding parties going on the war-path because of unjust treatment, the King's bounty to a settler made it easy to exact from him the oath of allegiance and gave the Land Boards untrammelled authority, as the King's executive in the matter of settlement. In many instances settlers who were found on Indian lands were forced to remove. The six officers of Detroit were not evicted, but they surrendered their holdings to the King and then got them back again, the Indians being satisfied.

Settlers coming from the Eastern Townships by way of the River found the journey sufficiently toilsome. Sheriff Adiel Sherwood of the District of Johnstown, wrote to Dr. Canniff: "The River was ascended by means of small boats called batteaux. These barks were built at Lachine and were capable of carrying four or five families each. Twelve boats constituted a brigade. Each brigade was placed under the command of a conductor with five men in each boat, four to row and one to steer. The conductor gave directions for the safe management of the flotilla. When a rapid was ascended part of the boats were left at the fort in charge of one man, the remaining boats being doubly manned, and drawn up by means of a rope fastened to the bow, leaving four men in the boat with setting-poles to assist. The men at the end of the rope walked along the bank but were frequently compelled to wade in the current upon the jagged rocks. On reaching the head of the Rapid, one man was left in charge and the boatmen returned for the balance of the brigade." New settlers coming by way of Oneida Lake and Oswego or by Irondequoit Bay had walked long distances with pack-horses over the forest trails, sleeping in the open in all kinds of weather and then had to face a hundred miles or more of lake travel in open boats. In the neighbourhood of Niagara and southwards where there were practicable roads—in the dry season—covered wagons were used with horses, or more often oxen, as a means of transportation. The boxes of these wagons were caulked and watertight, and served as rude boats for the crossing of streams too deep to be forded.

Let it be remembered that many Loyalists were men of culture. They had lived in a well settled district. Philadelphia, New York and Boston were considerable cities. Harvard University was a flourishing institution with a history of more than 140 years. Its first Arts class had been graduated in 1642. Yale had been established in the year 1701 and the new college was built in New Haven in 1716. Tory families in the various New England communities had had the means of education close at hand and had used them freely. These were the folk who led the way into the wilderness, bringing with them in many cases whole colonies of people who had been their neighbours in the States and had learned to have confidence in their

judgment. Humble or high in social station, the Loyalists were at one in their resentment against the successful Party and in their hostility towards the Republic, founded, as they believed, in treason and rooted in dishonour. By a reflex, automatic judgment they found in the British system, despite its many imperfections, the ideal of government and their loyalty never wavered.

On July 24th, 1788, Governor Haldimand had divided the Upper country into four administrative districts, which he named in compliment to the Hanoverian connections of the Royal Family, Lunenburg, Mecklenburg, Nassau, and Hesse, ranging respectively from Pointe au Baudet to Gananoque, from Gananoque to the River Trent, from the Trent to Long Point, Lake Erie, and from Long Point to Detroit. Following the division, Land Boards were set up with authority to act upon petitions of intending settlers. The regulations passed on February 17th, 1789, provided that the oaths of fidelity and allegiance must be administered to grantees, that the land was for agricultural purposes only, and that "mines, minerals, conveniences for mills and other singular advantages of a common and public nature" were reserved by the Crown. (*)

As a general rule, the townships were to be ten miles square, but those fronting on a navigable river might be nine miles on the front and twelve miles deep. The first Land Boards were composed as follows: *Lunenburg*: Richard Duncan, John Macdonell, Jeremiah French, Justus Sherwood, James Gray and John Munro; *Mecklenburg*: Rev. John Stewart, Neil McLean, James Clarke, Richard Cartwright, Jr., and the Officer Commanding at Kingston; *Nassau*: Lieut.-Col. Hunter or the Officer Commanding at Niagara, Lieut.-Col. John Butler, Peter Ten Broeck, Robert Hamilton, Benjamin Pawling, Nathaniel Pettit; *Hesse*: Farnham Close, Major, 65th Foot, or the Officer Commanding at Detroit, William Dummer Powell, Duperon Bâby, Alexander McKee, William Robertson, Alexander Grant, Lieut. Adhemar de St. Martin. All were well-known people, leaders in their communities, the first "eminent citizens" of Upper Canada. A new-comer desiring a grant of land applied to the Land Board of the District, composed of these commissioners appointed by the Government. If he were a person satisfactory to the members of the Board he received a certificate giving him leave to settle. With this certificate he appealed to a Deputy Land Surveyor for a "location," and a lot of 200 acres or less was conveyed to him on his undertaking to perform the settlement duties; that is to say, he agreed to build a house and bring a portion of the land under cultivation within a specified period. The regulations governing the settlement of each township provided that two farm lots should be reserved for a Minister of the Gospel, one for a Schoolteacher, and eight for the Crown. This was the beginning of the Clergy Reserves question which in later years caused a deal of agitation.

That the Church of England should be established in Canada had been determined by the King's Ministers immediately after the Conquest. Gov-

*The public property in water-powers was recognized even at that early day.

ernment Instructions to General Murray in 1763 contained the following paragraph:

"And to the end that the Church of England may be Established both in principle and practice, and that the said Inhabitants may by degrees be induced to embrace the Protestant Religion and that their children be brought up in the principles of it, we do hereby declare it to be our intention when the said Province shall have been accurately surveyed and divided in townships, districts, precincts or parishes in such manner as shall be hereinafter directed all possible Encouragement shall be given to the Erecting of Protestant Schools in the said Districts, Townships and Precincts, by settling, appointing and allotting proper quantities of land for that purpose; and also for a Glebe and maintenance for a Protestant Minister and Protestant Schoolmasters."

This paragraph was repeated in the Instructions to Sir Guy Carleton in 1768, and the sense of it was carried into subsequent Instructions to Haldimand and to Carleton as Lord Dorchester.

Captain Bonnycastle writing of this period said: "The western part of Canada, abandoned after the Conquest as an Indian hunting ground, or occupied at its western extremity on Lake Erie by a few French colonists began now to assume importance. Those excellent men who preferred to sacrifice life and fortune rather than forego the enviable distinction of being British subjects, saw that this vast field afforded a sure and certain mode of safety and of honourable retreat; and accordingly in 1783, ten thousand were enumerated in that portion of Canada, who, under the proud title of United Empire Loyalists, had turned their backs forever upon the new-fangled republicanism and treason of the country of their birth."

At that time Canada was ruled from Quebec by the Governor and an appointed Council of not fewer than seventeen members, and while that form of administration was not distasteful to the French habitants, wholly unused to the licentious excitement of elections, it was bitterly resented by English-speaking residents of Montreal and the Eastern Townships. These folk, as well as the Loyalists who came to the shores of Lake Ontario and Lake Erie were for the most part Colonial born. They had lived under the free institutions of the Town Meeting and the Assembly, which were fully established in New England, and many of them had been convinced that the British Government in its dealings with the Thirteen States had been unduly harsh. They had parted company with their neighbours on the proper method to correct their grievances, rather than by denying that grievances existed. Moreover they had suffered in body, mind and estate because of their loyalty and had a right to expect a large measure of consideration from Great Britain.

At first all local authority was in the hands of the Justices of the Peace for each Judicial District. The magistrates assembled at the General Quarter-Sessions, controlled the erection and management of jails, court houses and asylums, the laying out and improvement of highways, the making of assessments, the appointment of constables, town-clerks, jailers and pound-keepers, the supervision of weights and measures, the granting of licenses

for the manufacture and sale of liquor. They had the right also of granting to persons, not clergymen of the Church of England, the right to perform marriages. The government was a complete paternalism. There seemed to be some reluctance on the part of the authorities to grant even the modified form of self-government based on the town-meeting. It is suggested by J. M. McEvoy, K.C., and others who have written on municipal origins in Ontario that the town-meeting, being an American institution, may have been considered as a culture-bed of republican germs. The officials, like the eminent Mr. Podsnap of immortal memory, probably said "Not English !" and were willing to dismiss the whole matter with a wave of the hand. But the insistent demand of the people of Adolphustown for the authorization of an institution to which they had become accustomed in the United States made dismissal difficult.

Concerning the subjects considered at the Town Meetings of New England, Dr. L. H. Gipson says in his "Jared Ingersoll":

"Fairly trivial as many of these matters now appear to be which occupied the inhabitants at these gatherings, they were nevertheless among the things that bulked largest in the eyes of the average man and really conditioned his immediate welfare far more than the weightiest imperial legislation. What is more, from many angles the town meeting served as an excellent school in which to gather political experience. No Colony produced a shrewder group of politicians than those that sprang from the Connecticut town meetings."

The peculiar system of land tenure which had been evolved in Canada during the French régime had its root in Feudalism, but had been modified in consequence of local experience. Possibly at the time it was the best system for the French-Canadian people. At least their leaders believed so. After the Conquest the British Government did not disturb the seigniors or their tenants, and accepted the prevailing system as it stood. Indeed in 1780 the Government purchased the Seigniory of Sorel for £3,000 and the King became a Canadian feudal landlord. Incoming Loyalists spent the Winter of 1783-1784 on His Majesty's Seigniory of Sorel. When it was clear to the Home authorities that Loyalist immigration to Canada was likely to reach considerable proportions, the King sent Instructions to Lord Dorchester under date of July 16th, 1783, authorizing him to admeasure and lay out such a quantity of land as he might deem necessary and convenient for the settlement of the refugees, "such lands to be divided into distinct seigneuries or fiefs . . . the property of which seigneuries or fiefs shall be and remain vested in Us upon the same terms, acknowledgements and services as lands are held in our said Province under the respective seigneurs." These lands were not to be called Townships, but Royal seigniories. The Governor was instructed also to provide in each seigniory a glebe for church and school purposes of from 300 to 500 acres.

Under such instructions the first settlements in the wilderness of the Upper St. Lawrence were laid out—not to the satisfaction of the immigrants. On April 11th, 1785, a petition to the King was signed by Col. Guy Johnson and others declaring that the tenure of lands in Canada, so different from

the mild tenure to which they had been accustomed, and which was enjoyed by the rest of His Majesty's subjects, had occasioned a general discontent. The petitioners proposed that the country to the west of Pointe au Baudet should be comprehended within one district distinct from the Province of Quebec; that it should be administered by a Lieutenant-Governor and Council with the necessary powers of internal regulation, but subordinate to the Governor and Council of Quebec, as the district of Cape Breton was subject to the Province of Nova Scotia. They suggested also that the proposed new district should be subdivided into smaller districts or counties, that Courts of Justice should be established and that Cataraqui should be the metropolis. The petition ended with a polite threat: "If not, they will prefer some other part of His Majesty's dominions where they may enjoy the blessings of the British Constitution, but where they would not be equally useful as they would be in their present situation." The men who signed this document, which contains the first official suggestion of the erection of a new Province, were Robert Leake, Major, late 2nd Battalion, King's Royal Regiment of New York; John Munro, Captain, late 1st Battalion, King's Royal Regiment of New York; P. Daly, Captain, late 1st Battalion, King's Royal Regiment of New York; Thomas Gummersal, Captain, late 1st Battalion, King's Royal Regiment of New York; Guy Johnson, Colonel, Six Nations, and Superintendent of their affairs; John Butler, Lieut.-Colonel, commanding the late Rangers; Eben Jessup, late Lieut.-Colonel, commanding the King's Loyal Americans; James Gray, late Major, King's Royal Regiment of New York; Edward Jessup, Major, commanding the late corps of Royal Rangers.

The petition was reinforced on February 8th, 1786, by a Memorial of British Merchants trading to Quebec, urging the establishment of a Legislature and government by British laws made and administered according to the British Constitution. "No other form of Government," the Memorial declared, "will satisfy and quiet their minds, secure their rights and protect our property." A Committee of Lord Dorchester's Quebec Council consisting of J. G. C. De Lery, Samuel Holland and Sir John Johnson, was named on November 6th, 1786, to consider the complaints of the Loyalists. It did not report until early in the following year. De Lery and Holland considered that the terms and conditions of land tenure set forth in His Majesty's Instructions were "fit to be adopted." Sir John Johnson dissented from this opinion saying that if His Majesty would convert the Loyalists' estates into free and common soccage, such a grant would be gratefully received. (*)

Apparently Johnson, as a good politician, stirred up his friends to continued protest. On December 2nd, 1786, the magistrates of Cataraqui (the settled district near Kingston) sent a petition to Johnson declaring that nothing would conduce so much to the prosperity of those settlements as the putting of grants of lands on the same footing as they were in the rest of British America. The signers were Neil McLean, W. R. Crawford,

*Shortt and Doughty: *Canadian Constitutional Documents.*

James Parrot, Jeptha Hawley, Peter Vanalstine, and Michael Grass.* This was followed on December 18th, 1786, by a petition from the Magistrates of New Oswegatchee (in the region of the present Prescott and Brockville). One sentence shows the nature of the document: "We most earnestly pray for ourselves and on behalf of the inhabitants of New Oswegatchee that we may have our lands by grants free from any Seignioral claims or any other incumbrance whatever, the King's quit-rent excepted." The signers were James Campbell, Elijah Bottoms, Thomas Sherwood, Daniel Jones, William Lamon, Justus Sherwood, William Fraser, Allan McDonald, Joseph White, John Jones, Peter Drummond, Thomas Fraser and John Dulmage. There was also a grand petition of the Western Loyalists from Pointe au Baudet to Niagara, dated April 15th, 1787, asking for land tenure on the same basis as in Nova Scotia. The effect of all this agitation appeared in a communication from Lord Sydney to Lord Dorchester, dated Whitehall, Sept. 3rd, 1788, declaring the King's intention that new settlers in the upper part of the Province of Quebec should be on the same footing as those of Nova Scotia and New Brunswick, by having their lands granted in free and common soccage.

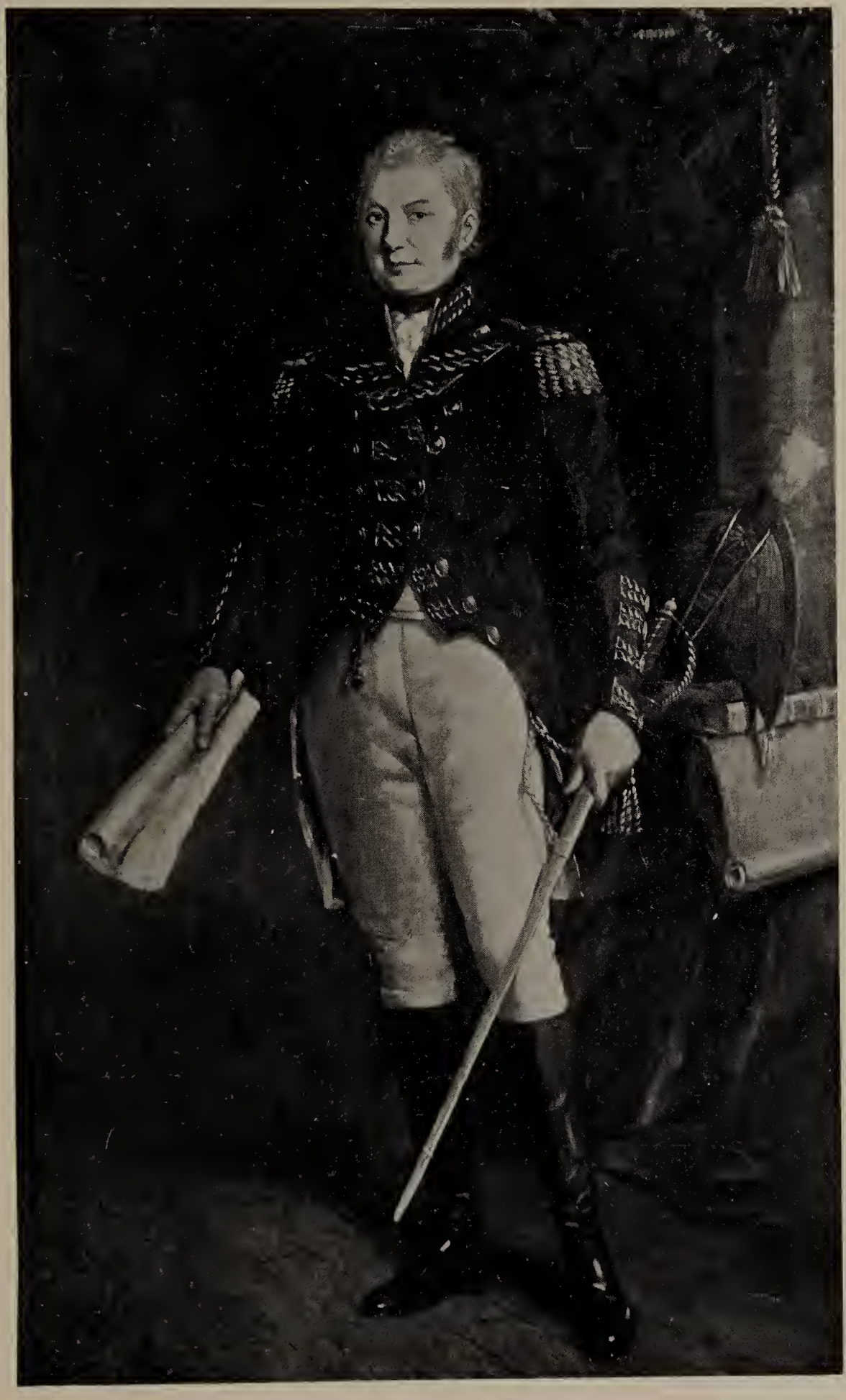
Lord Dorchester wrote to the Home Government on November 8th, 1788: "Although I hold a division of the Province at present inexpedient, yet I am of opinion that no time should be lost in appointing a person of fidelity and ability in the confidence of the loyalists to superintend and lead them and to bring their concerns with despatch to the knowledge of Government, under the title of Lieutenant-Governor of the four western districts."

The King determined that a division of the Provinces was expedient, and the Constitutional Act, or Canada Act, was introduced in Parliament, not to give him authority and make the division, but to settle the details of the proposed new Government.

Lieut.-Col. John Graves Simcoe had published in 1787 a Journal of the Operations of the Queen's Rangers from the end of the year 1777 to the Conclusion of the late American War. It was an answer to some loose criticisms of the corps, which Simcoe had commanded, and contained in addition to the Journal a reprint of a letter to Lord Barrington by Colonel Simcoe's father, dated June 1st, 1755, advocating the conquest of Canada. Captain John Simcoe, of the Royal Navy, afterwards had commanded the *Pembroke* under Admiral Saunders at the siege of Quebec in 1759. Lake Simcoe was named in his honour.

In sending a copy of his book to Evan Nepean, a Government official, Col. Simcoe wrote: "Should Canada act upon the wise, enlarged and just plan of annihilating at once every vestige of Military Government in her native Colonies, and undermining by degrees the miserable feudal system of old Canada ..... I should be happy to consecrate myself to the service

*Shortt and Doughty: *Canadian Constitutional Documents.*



LIEUT.-COL. JOHN GRAVES SIMCOE
First Lieut.-Governor of Upper Canada

of Great Britain in that country in preference to any situation of whatever emolument or dignity." This letter bore the date of December 3rd, 1789.

In the following March Lord Dorchester sent to England a list of persons recommended to him by Sir John Johnson as suitable for appointment as Legislative Councillors "for the proposed Provinces of Upper and Lower Canada." In this same communication, Dorchester recommended Johnson as "the properest person for the Government of Upper Canada." Grenville wrote in reply on June 3rd: "Previous to the receipt of Your Lordship's despatch I had submitted to His Majesty the name of Lieutenant-Colonel Simcoe for the Lieutenant Government of Upper Canada, supposing the proposed division of the Province of Quebec to be carried into effect, and that I had been directed by His Majesty to express to that officer His Majesty's approbation of his appointment." He added that the nomination of a person belonging to the Province and possessing large property in it was not desirable, especially in the formation of a new Government.

From the moment of his designation as the prospective Lieutenant-Governor of Upper Canada, Lieut.-Col. Simcoe busied himself in the devising of plans and projects for the administration. On November 12th, 1790, he recommended the raising of a regiment for special service in the Province; suggesting that he should have the command, that two days of each week should be appropriated to the employment of the soldiers on the public works, two to military exercises, and two for their private advantage. Out of this suggestion came the organization of the New Queen's Rangers, which ultimately consisted of two Companies, under Captain Æneas Shaw and Captain David Shank, each of 213 officers and men. The other officers named were Captain Samuel Smith, Lieutenant Geo. Spencer, Second Lieutenant Arthur Holdsworth Brooking of the Marines, Ensigns Robert Eyre, James Givens, Leonard Browne and John Whitmarsh Pease. The Adjutant was John McGill from the 16th Regiment; the Surgeon was David Burns, and the Surgeon's Mate, John Flood. The principal officers had served with Simcoe in the original Queen's Rangers during the Revolutionary War. The uniform was green, as before.

The Constitutional Act, of 1791, officially known as the Canada Act, of 31 George III., cap. 31 may be summarized as follows: Section 1 repealed much of the Quebec Act of 1774; Section 2 provided for a Legislative Council and an Assembly in each of the Provinces of Upper Canada and Lower Canada, with power to pass legislation valid when assented to by the King or by his official representative. Sections 3 gave power to the Sovereign to direct by Sign Manual the Governor to summon to the Legislative Council such persons, not fewer than seven, or more than fifteen, as should be selected by the Sovereign. Section 4 provided that no one should be summoned to the Legislative Council under twenty-one years of age, or not a British subject by birth, naturalization or conquest. Section 5 made the position of Legislative Councillor of life-tenure, subject to vacation in

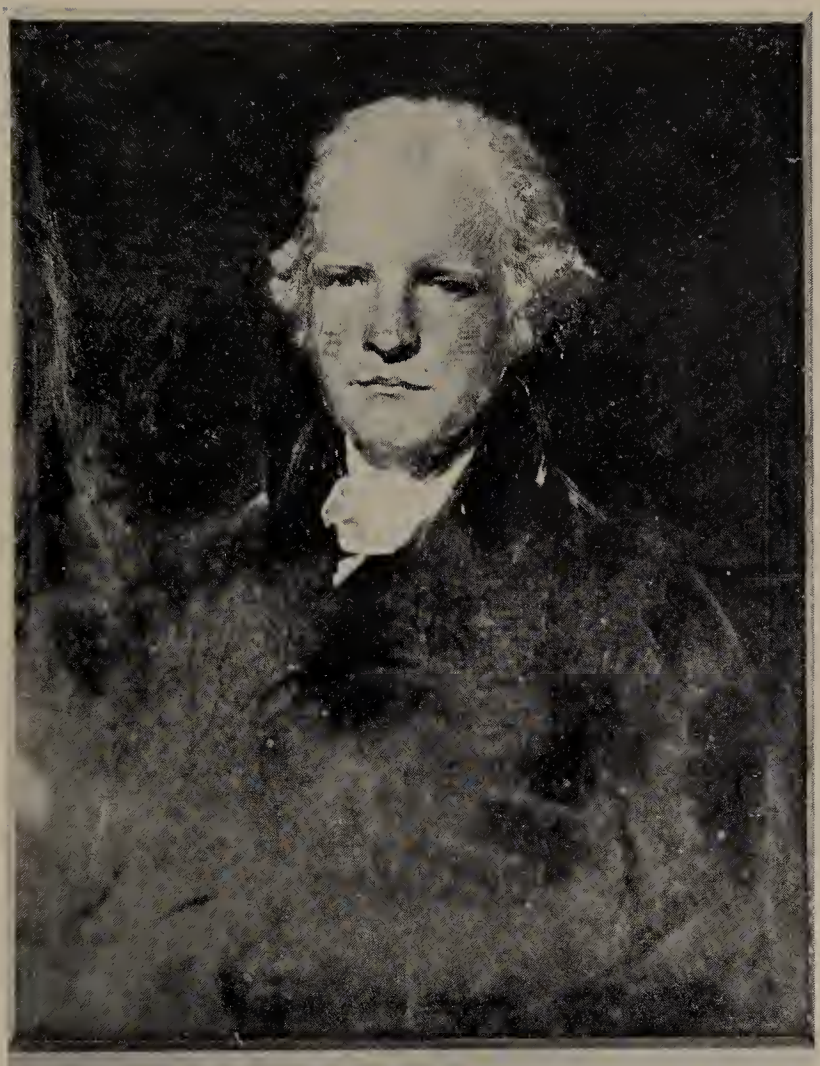
cases thereafter mentioned. Section 6 empowered the Sovereign to annex to any hereditary title of honour in the Province the hereditary right to sit in the Legislative Council. Since this power was never exercised, the successive Sections 8—11 dealing with it are of comparative unimportance. Section 12 provided that the Governor was to appoint the Speaker of the Legislative Council.

The Sections 13 to 25 inclusive dealt with the constitution of the Legislative Assembly. The Governor, directed by the King, was empowered to call an Assembly, to divide the Province into Ridings, appoint Returning officers, and fix a time for the election of not fewer than 16 members for Upper Canada. The electorate was to consist of reputable British subjects owning land worth not less than 40s per annum in country districts, in towns, £5, or paying rent of not less than £10. Ministers, Priests, Ecclesiastics, and Teachers of any Church or form of religious faith or worship were excluded from the Assembly. In later years Methodist Local Preachers were unseated under this Section (21).

According to Sections 26 and 27 proper notice had to be given of the time of election and of the sitting of Parliament. Section 28 enacted that all questions which might come before Parliament were to be decided by a majority of votes, the Speaker of Council or Assembly to have a casting voice. Section 29 prescribed an oath for Members of both Houses. By Section 30 the Governor was authorized to withhold assent to legislation or to reserve it for His Majesty's consideration. Lest this restriction might not be sufficient, Acts assented to by the Governor might be disallowed by His Majesty in Council within two years. Section 32 made it clear that Bills reserved for His Majesty's pleasure were not to have any effect until approval had been communicated to the Council and the Assembly. By Section 33 laws in force at the passing of the Act were to continue in force until repealed. Section 34 provided that the Governor, with such Executive Council as should be appointed by His Majesty, would be a Court of Appeal. By Section 35 previous regulations concerning the Roman Catholic clergy were continued in force.

Sections 36 and 37 provided that lands for the support of a Protestant clergy were to be allotted "equal in value to the seventh part of lands granted by and under the authority of His Majesty". By Sections 38 to 40 the Governor and his Executive Council might erect Parsonages, endow them for the Church of England, and appoint incumbents, subject to the supervision of the Bishop of Nova Scotia. The provisions immediately foregoing might be subject to repeal or variation by the Provincial Parliament.

Section 42 provided that certain Acts must be laid before the Imperial Parliament before receiving the Royal Assent. By Sections 43, 44 and 45 land in Upper Canada was to be granted in free and common soccage, and existing grantees might surrender their patents and receive new ones under freehold (not barring any existing right).



William Osgoode, Chief Justice Upper Canada, 1792-3, and Chief Justice Lower Canada, 1794-1801.

Photographed by J. Ross Robertson from the oil painting at Wolford, Devon, Eng., the home of Governor Simcoe.

The Imperial Parliament, under Sections 46 and 47, was not permitted to levy any tax on the Province save for the regulation of navigation, and the proceeds of this tax were to be applied to the uses of the Province. Section 48 provided that the Act must come into force not later than December 31st, 1791.

According to modern standards the Act was vague. The rights and powers of the Governor were not defined and the Executive Council was mentioned only in a casual way in three of the Sections. Its authority and practice were without statutory restriction. By Royal Instructions to the Governor the will of the Home Government was transferred to Upper Canada where it had free range, through the Governor and his colleagues, without limitation by the Provincial Parliament, which was a mere advisory board.

It was a time when students of politics in all countries were won by the theory that there should be a complete separation of the executive, legislative and judicial functions of Government. The Constitution of the United States was written in the light of that theory, and to this day the President and his Council are not directly controlled by Congress. For two years after the Congressional elections the American Senate and House of Representatives may be in opposition to the President's administration without the power of influencing that administration save indirectly. On the contrary, in British countries the Government must resign as soon as it ceases to command a majority in the representative House. This happy condition of affairs is the result of reforms which have come gradually. It would not be possible in our time for any British Government to have the broad and practically unreviewed powers which were exercised by George III. and his Cabinet—despite the Bill of Rights.

Col. Simcoe entered Parliament in 1790 and gave active support to the Canada Bill, but his career in the House of Commons was short. On September 26th, 1791, in company with Mrs. Simcoe and two of their six children, Sophia and Frances Gwillim, he sailed on H. M. S. *Triton* for Canada.

Mrs. Simcoe's Diary of the journey to Canada, (edited by the late Mr. John Ross Robertson) is a useful and picturesque contemporary document. The party embarked in batteaux at Quebec on June 8th, 1792, arriving at Montreal on the 13th—a sufficiently deliberate advance according to modern notions. The journey to Kingston began at Lachine on June 22nd "where Sir John Johnson had a house" and the travellers slept at the Cedars where there was "a tolerable inn." At Pointe au Baudet, just at the boundary line dividing the two Provinces, the Governor and his attendants were met by some Glengarry Highlanders in kilts who conducted them behind a piper to Glengarry House, the residence of Mr. Alexander Macdonell. There they met the first priest to come to this region, Rev. Roderick Macdonell

who ministered to the Indians of St. Régis, as well as to his kinsmen of the clan.*

Col. Gray's place four miles below Cornwall was favorably mentioned and the town itself laid out in 1790 had "fifteen houses and some neat gardens." Then they met John Munro of Matilda, a retired British officer who became one of the first Legislative Councillors of Upper Canada. Richard Duncan, who was destined for a similar honour, was most hospitable and later gave Mrs. Simcoe a fine horse. He was a pioneer of Dundas County, and had been a Captain in Sir John Johnson's corps. So they met Thomas Fraser, "six miles from the Long Sault", observed the mill at the mouth of the Gananoque River and "Carey's House" an inn not too presentable, passed the Thousand Islands which delighted the diarist, and arrived at Kingston after ten days of travel. Of Kingston Mrs. Simcoe said: "It is a small town of about 50 wooden houses and merchants' storehouses. Only one house is built of stone. It belongs to a merchant. There is a small garrison here and a harbour of ships. They fired a salute on our arrival and we went to the house appointed for the Commanding Officer at some distance from the barracks. The Queen's Rangers are encamped a quarter of a mile beyond our house."

Mrs. Simcoe regarded the Indians of the Mississauga tribe with much interest: "These uncivilized people saunter up and down the town all day with the apparent nonchalance, want of occupation and indifference that seem to possess the London beaux in Bond Street." The Governor "having appointed the Protestant Church as a suitable place"† was sworn in on July 8th, 1792. He was attended by the Honourable William Osgoode, Chief Justice, lately arrived from England, the Honourable Peter Russell, Receiver-General, also newly arrived, the Honourable James Bâby of the region of Detroit, "together with the magistrates and principal inhabitants." The oath was administered by the Chief Justice. The Protestant Church, which was the beginning of St. George's Cathedral, was a wooden building 40 feet long and 32 feet wide, and stood on the lot now occupied by *The Whig-Standard*. It was opened in March, 1793, the first pew-holders being Peter Smith, William Coffin, Allan McLean, John Baird, Robert Macaulay, Neil McLean and Hon. Richard Cartwright.

William Osgoode was the son of a London merchant who was a friend of the Wesleys. Peter Russell had been military secretary to Clinton in

*Roderick Macdonell in 1785 applied to the British Government for the means to reach Upper Canada in order to serve his kinsmen as a Roman Catholic clergyman. Lord Sydney sent the memorial to the authorities at Quebec with the following covering letter, dated June 24th, 1785: "Having laid before the King a memorial of Mr. Roderick Macdonell, stating that, at the solicitation of a considerable number of Scots Highlanders and other British subjects of the Roman Catholic persuasion who prior to the last war were inhabitants of the back settlements of the Province of New York, and to whom, in consideration of their loyalty and services lands have been lately assigned in the higher parts of Canada, he is desirous of joining them in order to serve them in the capacity of a Clergyman, in the humble hope that on his arrival at their Settlement he shall be allowed by Government an annual subsistence for the discharge of that duty. I enclose to you the said memorial and am to signify to you the King's commands that you do permit Mr. Macdonell to join the above-mentioned settlers and officiate as their Clergyman, and with respect to the allowance to be made to him, I shall take an early opportunity of communicating to you His Majesty's pleasure."

†It is uncertain whether the ceremony took place in the unfinished church or in the large room in the barracks used for Divine service.




HON. PETER RUSSELL

Receiver-General, and Administrator of Upper Canada. (Robertson Collection)

the American Revolution. These two, with Alexander Grant and James Bâby of Detroit were appointed by the British authorities as the Lieutenant-Governor's Executive Council, with seats in the Legislative Council of the Parliament soon to be summoned. This Upper House had only nine members; the other five who accepted appointment were John Munro, Richard Cartwright, Jr., Robert Hamilton and ultimately, Captain Æneas Shaw and Richard Duncan. Munro and Duncan were representative of the River region. Cartwright was of Kingston, Hamilton, of Queenston, and Shaw was an officer in the Rangers. Hamilton had been in the Niagara region since the close of the Revolution and with Col. John Butler had served as one of the district Judges. He was a merchant in partnership with Cartwright of Kingston and had a stone house, and extensive warehouses at Queenston.

The Lieutenant-Governor with his family and a sufficient staff arrived at Newark on July 26th, 1792. Navy Hall, a wooden building erected by Governor Haldimand for the comfort and convenience of naval officers serving on the Lakes was considered suitable for the Government Offices and the Assembly chamber. The Legislative Council needed less space, since there were only nine members; a building formerly used as a Barracks by Butler's Rangers served the purpose. While at Kingston the Lieutenant-Governor had issued a proclamation (July 16th, 1792) dividing the Province into nineteen counties for electoral purposes and fixing the date for the election of members to the Assembly. He had also appointed the following officials: Major Littlehales, Military Secretary; Col. Talbot, aide-de-camp; Robert I. D. Gray, Solicitor-General; John Small, Clerk of the Executive Council; William Jarvis, Civil Secretary; Peter Russell, Receiver-General; D. W. Smith, Surveyor-General; Thomas Ridout and William Chewett, Assistants to the Surveyor-General; Peter Clark, Clerk of the Legislative Council; Col. John Butler, Superintendent of Indian Affairs.

The proclamation defined the Counties as follows:

Glengarry: to be bounded on the east by the lines that divide Upper from Lower Canada, on the south by the River St. Lawrence; westerly by the easternmost boundary of the late Township of Cornwall, running north, twenty-four degrees west, until it intersects the Ottawa or Grand River, thence descending the said River until it meets the divisional lines aforesaid. The islands in the St. Lawrence nearest to the several Counties were to be incorporated in them.

Stormont: to be bounded on the east by Glengarry, on the south by the River St. Lawrence, on the west by the township of Williamsburg boundary line, running north, twenty-four degrees west, to the Ottawa River, and on the north by the Ottawa River.

Dundas: on the east by Stormont, on the west by the boundary line of the Township of Edwardsburg, running north, twenty-four degrees west, to the Ottawa River, on the north by the Ottawa River, on the south by the St. Lawrence River.

Grenville: on the east by Dundas, on the west by the boundary line of the Township of Elizabethtown, running north, twenty-four degrees west, to the Ottawa River, on the north by the Ottawa River, on the south by the St. Lawrence River.

Leeds: on the east by Grenville, on the north and south by the two Rivers, on the west by the boundary line of the township of Pittsburgh, running north, twenty-four degrees west, to the Ottawa River.

Frontenac: on the east by Leeds, on the north and south by the two Rivers, on the west by the boundary line of the township of Ernesttown, running north, twenty-four degrees west, to the Ottawa.

Ontario: "To consist of an island at present known by the name Isle Tonti, to be called Amherst Island; an island known by the name of Isle au Forêt, to be called Gage Island; an island known by the name of Grand Island to be called Wolfe Island;* an island known by the name of Isle au Cauchois to be called Howe Island, and to comprehend all the islands between the mouth of the Gananoque to the easternmost extremity of the late township of Marysburgh, called Point Pleasant."

Addington: to be bounded on the east by the County of Frontenac, on the north and south by the Rivers, on the west by the boundary line of Fredericksburgh, running north, thirty-one degrees west, to the Ottawa River.

Lenox (Lennox): on the east by Addington, on the south and west by the Bay of Quinté, to the easternmost boundary of the Mohawk village, thence by a line along the westernmost boundary of the late township of Richmond, running north sixteen degrees (?) to the depth of twelve miles, thence running north 74 degrees east, until it meets the northwesternmost boundary of the county of Addington.

Prince Edward: as at present.

Hastings: on the east by the County of Lennox, on the south by the Bay of Quinté to the River Trent, on the west by the Trent until it intersects the rear of the ninth concession, thence by a line running north, sixteen degrees west, until it intersects the Ottawa River, thence descending the River to the northwesternmost boundary of Addington.

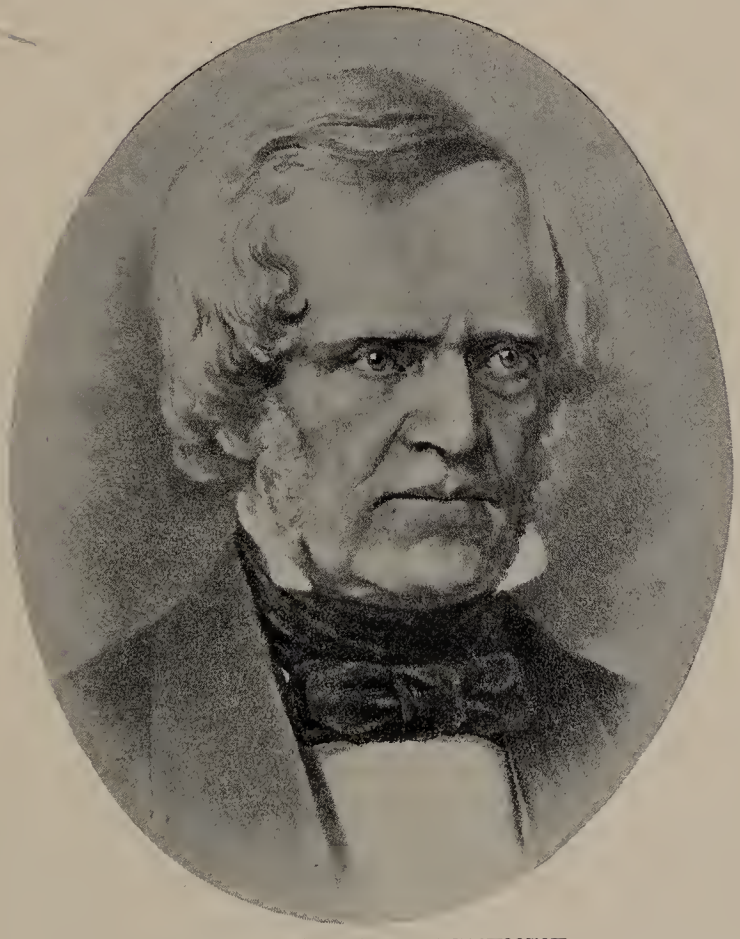
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*The doubt that existed for a long time with respect to the sovereignty to be exercised over the islands in the St.Lawrence and other boundary waters was cleared up by a specific convention between Great Britain and the United States. The circumstances are set forth in a memorandum written in 1836 by David Thomson, astronomer and surveyor. The document explains that by the sixth article of the Treaty of Ghent the line of division was to be the middle of the River. When the survey was undertaken to determine the boundary it was found that a line equidistant from both banks of the stream would intersect a number of islands. It was decided that to whatever power the greater part of an intersected island should belong that power would have the whole of the island, thus avoiding the inconvenience of short land-frontiers. The arrangement was confirmed by the Foreign Office and by the Washington Government.

But there were complications. After the Revolutionary War the Treasury of New York State was so low that it sold to the Holland Land Company large tracts of land, among which were all the American islands in the St. Lawrence River from St. Regis to Lake Ontario. Besides, under the convention, Grand Island, now known as Wolfe Island, would have been American territory—a condition not at all to the taste of the naval officers in charge of the Kingston dockyard. "At the time the division of the Islands took place," says Thomson, "certain peculiar circumstances happened which enabled the British Commissioners to exchange Grand Island above the Niagara Falls for Grand Island opposite Kingston, on condition of indemnifying the Holland Company by giving up British isles to make up 13,359 ½ acres—the difference in area between the two islands."



HON. ROBERT HAMILTON OF QUEENSTON.



WILLIAM LYON MACKENZIE.

Northumberland: on the east by Hastings and the Trent Peninsula, on the south by Lake Ontario to Little Bay, thence by a line running north sixteen degrees west until it meets the southern boundary of a tract of land belonging to the Mississauga Indians, thence along the said tract parallel to Lake Ontario to the County of Hastings.

Durham: on the east by Northumberland, on the south by Lake Ontario to the westernmost point of Long Beach, thence by a line running north, sixteen degrees west to the Mississauga tract and eastward to Northumberland.

York: East Riding. On the east by Durham, on the south by Lake Ontario until it meets the easternmost boundary of a tract of land belonging to the Mississauga Indians, on the west by the easternmost boundary of the said tract running north, sixteen degrees west, the distance of twenty-eight miles, north, seventy-four degrees east, fourteen miles, thence south sixteen degrees east sixteen miles to the southern boundary of the lands belonging to the said Indians, thence along the said tract parallel to Lake Ontario until it meets the northwesternmost boundary of the County of Durham.

West Riding: To be bounded on the east by the westernmost line of a tract of land belonging to the Mississauga Indians, running north, forty-five degrees west, to the River La Tranche, to be called the Thames, on the south by Lake Geneva, to be called Burlington Bay and a carrying place leading through the Mohawk Village to where it intersects the river La Tranche (*) or Thames, thence up the said River to the northwesternmost boundary of a tract of land belonging to the Mississauga Indians.

Lincoln First Riding: To be bounded on the west by the County of York, on the south by the Grand River, to be called the Ouse, thence descending the said River until it meets an Indian road leading to the forks of Chippewa creek, which creek is to be called the Welland, thence descending the said creek until it meets the continuation of the easternmost boundary of the late township No. 5, thence along the south shore of Lake Ontario until it meets the southeast boundary of the County of York.

Second Riding: To be bounded on the west by the First Riding, on the north by Lake Ontario, on the east by the Niagara River, on the south by the townships No. 2, No. 9 and No. 10.

Third Riding: To be bounded on the east by the Niagara River, on the south by the Chippewa creek, on the west by the first Riding and on the north by the second Riding.

Fourth Riding: To be bounded on the east by the Niagara River, on the south by Lake Erie to the mouth of the Grand River, thence up the River to the road leading to the forks of the Chippewa, thence by the road to the forks of the Chippewa and down the Chippewa to the Niagara River.

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*La Tranche, the early name of the Thames River would be spelled La Tranchée today. There is a distinction in meaning between the words; the first signifies a slice, something cut off; the second means a longitudinal open excavation—a ditch. The Thames valley is fairly narrow and the descent to the water's edge in most places is steep, so that the name La Tranchée would be most appropriate. One wonders if the pronunciation of the river-name could be in two syllables despite the universality of the contemporary spelling—La Tranche.

Norfolk: To be bounded on the north and east by the County of Lincoln and the River La Tranche, now called the Thames, on the south side by Lake Erie until it meets the Barlue, to be called the Orwell River, thence by a line running north sixteen degrees west until it intersects the river La Tranche, thence up the said River until it meets the northwest boundary of the County of York.

Suffolk: On the east by the County of Norfolk, on the south by Lake Erie until it meets the carrying-place from Point au Pins unto the Thames, to the west by the said carrying-place, thence up the Thames to the County of Norfolk.

Kent was to comprehend all the country not being territories of the Indians not already included in the several counties hereinbefore described, extending northward to the boundary line of Hudson Bay, including all the territory to the westward and southward of the said line to the utmost extent of the country commonly called or known by the name of Canada.

The willingness of the King to grant free lands to settlers in good faith was made public by Lieutenant-Governor Simcoe in a Proclamation dated Quebec, February 7th, 1792. The conditions were (1) that the Crown Lands to be granted must be part of organized Townships; (2) that only such part of a Township be granted as would remain after a reservation of one-seventh part thereof for the support of a Protestant clergy, and one-seventh for the future disposition of the Crown; (3) that in general a grant should not exceed 200 acres, although in the discretion of the Lieutenant-Governor it might be increased to as much as 1,000 acres; (4) that the grantee must show that he or she was in a condition to cultivate and improve the lands, and that he must make a declaration "of the tenor of the words following: 'I, A. B. do promise that I will maintain and defend to the utmost of my power the authority of the King in His Parliament as the supreme Legislature of this Province';" (5) that application must be made by petition to the Lieutenant-Governor; where it is advisable to grant the prayer thereof, a warrant shall come to the proper office for a survey, returnable within six months, with a plot annexed, and be followed with a Patent granting the same *if desired, in free and common soccage;* (6) that coal and other minerals, and timber suitable for the Navy would be reserved by the Crown; (7) that the two-sevenths reserved for the Crown and Clergy would not be severed tracts, but such lots or farms as might be set apart between the other farms, to the intent that the lands so reserved might be nearly of the like value with an equal quantity of the other parts to be granted; (8) that the Patentees would be free of quit-rent or any other expenses than such fees as might be allowed to the different officers concerned in passing and recording the Patent. A schedule of such fees as adopted by the Government would be posted in the office of the Clerk of the Crown, of the Surveyor-General, and of the Secretary of the Province; (9) that every Patent must be recorded within six months of its date; and (10) that any grant of 1,000 acres or

less might be located in more than one Township. This Proclamation had a wide circulation, not only in the Province itself but in the United States and in Great Britain. It was the first "Immigration literature" in the annals of this part of Canada.

The first scale of fees adopted by the Government of Upper Canada ranged from £4 to £10 on grants from 200 to 1200 acres. The complete schedule follows:

| Department | 1st Class 200 ac. or less | 2nd Class 200 ac.to 400 ac. | 3rd Class 400 ac. to 800 ac. | 4th Class 800 ac. to 1200 ac. | 5th Class 1st 1000 ac. | 5th Class Add'n'l 1000's |
|---|---|---|---|---|---|---|
| | £ s d | £ s d | £ s d | £ s d | £ s d | £ s d |
| Great Seal | 1 10 0 | 1 17 6 | 2 12 6 | 3 15 6 | 3 10 0 | 15 0 |
| Attorney Gen. | 1 0 0 | 1 5 0 | 1 15 0 | 2 10 0 | 2 6 8 | 1 0 |
| Secretary | 10 0 | 12 6 | 17 6 | 1 5 0 | 1 10 0 | 5 0 |
| Register | 5 0 | 6 3 | 8 9 | 12 6 | 12 6 | 3 0 |
| Clerk of Coun. | 5 0 | 6 3 | 8 9 | 12 6 | 12 6 | 5 0 |
| Surveyor Gen. | 5 0 | 6 3 | 8 9 | 12 6 | 10 6 | 5 0 |
| Auditor Gen. | 2 6 | 3 1½ | 4 4½ | 6 3 | 6 3 | 1 6 |
| Surveyor of Woods | 1 6 | 1 10½ | 2 7½ | 3 9 | 3 9 | 1 0 |
| Gov.'s Secretary | 1 0 | 1 3 | 1 9 | 2 6 | 2 6 | 1 0 |
| | £4 0 0 | £5 0 0 | £7 0 0 | £10 0 0 | £9 14 8 | £1 15 6 |

In addition, the Register was allowed 1s per 100 words for copying official documents, and the Surveyor-General received 1s per 100 words, 1s 6d for a search, 5s for a plan, and 5s for every 100 acres above 300 in Classes 3, 4 and 5.

Officially recognized United Empire Loyalists did not pay these fees. The above schedule was in force in 1794 but was varied from time to time as necessity appeared.

## CHAPTER III.

### THE SIMCOE ADMINISTRATION

The members of the first Legislative Assembly of Upper Canada, elected on August 27th, 1792, were as follows: *Glengarry,* John Macdonell and Hugh Macdonell; *Stormont,* Jeremiah French; *Dundas,* Alexander Campbell; *Grenville,* Ephraim Jones; *Leeds* and *Frontenac,* John White; *Addington* and *Ontario,* Joshua Booth; *Prince Edward* and *Adolphustown,* Philip Dorland, (replaced later by Peter Vanalstine); *Lennox, Hastings* and *Northumberland,* Hazelton Spencer; *Durham, York* and *First Lincoln,* Nathaniel Pettit; *Second Lincoln,* Benjamin Pawling; *Third Lincoln,* Isaac Swayzie; *Fourth Lincoln* and *Norfolk,* Parshall Terry; *Suffolk* (now Elgin) and *Essex,* D. W. Smith; *Kent,* Francis Bâby and William Macomb.

Dorland was a Quaker and refused to take the oath. (*) For that reason he was not counted a fit and proper person. Conscientious objections were not too tenderly considered in those days. Vanalstine, his successor, was a Loyalist from the neighbourhood of Albany who had seen military service. Indeed the House was a nest of fighters. John Macdonell, elected as Speaker, had been a Captain in Butler's Rangers, a corps distinctly unpopular in the United States. Hugh Macdonell, his brother, had been a Lieutenant in the King's Royal Regiment of New York. Jeremiah French, a Vermont Loyalist, had served in the King's Royal Regiment. His wife, Eliza Wheeler, had been expelled from Albany and from New York because of her opinions. Ephraim Jones had been a Massachusetts Loyalist, and Joshua Booth had lived in New York State until his opinions made it necessary for him to depart and probably to fight. Hazelton Spencer marched from Vermont into the King's Royal Regiment. Nathaniel Pettit was a Pennsylvania Loyalist, as also was Benjamin Pawling. The latter had been a Captain in Butler's Rangers.

Isaac Swayzie had been a scout, "the pilot to the New York army," as Dorchester said. The murder of his wife by Americans made him their implacable foe. His services to the Tories and to the King made him a marked man and he had many narrow escapes from capture. On one occasion he was concealed in a cellar when Americans burst into the house. Failing to find him, they bayonetted his younger brother and the blood dripped down upon him. Parshall Terry had been a lieutenant in Butler's Rangers. D. W. Smith was a lieutenant in the Fifth Foot, in garrison at Niagara. William Macomb lived at Detroit and had a brother who favoured the American side of the controversy. That brother's son, Alexander, was a United States

*Not until 1883 was it possible for a Member of the British House of Commons to substitute affirmation for the oath. The law was changed as a result of the noisy and unedifying Bradlaugh case.



THE FIRST ONTARIO LEGISLATURE, 1867

General in 1812, and from 1828 to 1841 he was Commander-in-Chief of the United States forces.(*)

The nature of the first election in Upper Canada may be understood by a glance at several letters written by D. W. Smith of the Fifth Foot to his friend, John Askin, of Detroit. He wrote on July 26th, 1792: "This damned election business seems to bind me to the country, for you know I am not fond of deserting any cause I undertake, and that of the public is most dear to me. Should I be returned without an undue election or the appearance of party or bribery, I shall be most happy, and in that case I beg an ox be roasted whole on the common, and a barrel of rum to be given to the mob, to wash down the beef. You will draw on me for the amount." Mr. Smith was too busy to appear in the County before the election. He wrote on August 8th: "The Governor sends for me constantly and employs me on many occasions —what with crossing the water—and half a dozen masters to serve, exclusive of God and Mammon—ill health and all together, I am completely fagged." Again on the 14th in confessing to an attack of the "election fever," he wrote: "The more broken heads and bloody noses, the more election-like—and in case of success (damn that 'if') let the white Ribbon favours be plentifully distributed to the old, the young, the gay, the lame, the crippled and the blind—half a score cords of wood piled hollow, with a tar-barrel in the middle, on the commons, some powder *pour tirer,* and plenty of rum... Have proper booths erected for my friends at the hustings, employ Forsyth to make large plum cakes with plenty of fruit, etc. Be sure to let the wine be good and plenty. Let the peasants have a fiddle, some beverage and beef."

John White, the member for Leeds and Frontenac, was an English barrister who had been appointed by the King as Attorney-General of the new Province, and sailed from England in the Spring of 1792. White's Diary(†) records that his journey from Montreal to Kingston occupied nine days; from June 21st to the 30th, 1792. The Governor arrived on July 2nd, Hon. Peter Russell on July 4th, and the last detachment of troops on the 7th. The first Executive Council meeting was on July 10th, the day following the ceremony in Kingston when Governor Simcoe was sworn in. Mr. White after consultation with the Governor, Hon. Richard Cartwright, and Mr. Forsyth, the merchant, offered himself as a candidate for the Assembly, canvassed with assiduity and found people generally favourable to his candidature, save for a "posse of farmers" at Day's and a group of people at Elizabeth (Brockville). However his fears of opposition were groundless; he was elected by acclamation on August 10th "after which they dragged me about in a chair, to the diversion of the mobile and my inconvenience." He provided bread and cheese and two barrels of porter for the electorate.

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*These personal details concerning the first legislators of Upper Canada were collected by the late Mr. C. C. James and appear in a paper read by him before the Royal Society of Canada.

†John White's Diary from June 21st, 1792, to April 5th, 1794, is the property of Mrs. Frank Egerton of Toronto. Through her kindness the Editor has been permitted to peruse the manuscript.

White sailed for Niagara on September 2nd on board the *Onondaga* in company with Mr. Russell and his household, Messrs. Clark, Aitkin, Grant, Chewett and Burns, all officials of the new Government. On October 1st White wrote: "Very little has happened out of the usual way but what has passed in the House of Assembly where indeed there has been unusual ignorance and stupidity." The Diary for the most part records the writer's tea-drinkings and dinings, but there are occasional flashes of light on public affairs. The entry for June 25th, 1793, contains this sentence: "Debated the Slave Bill hardly. Met much opposition but little argument." During August, White was in Kingston attending Court. On the 8th he wrote: "Mr. Sutherland found guilty of manslaughter."

In the memoirs of Colonel John Clark, published by the Ontario Historical Society (Vol. VII., Papers and Records) occurs the following: "In 1792 my brother (Peter) was appointed Chief Clerk of the Legislative Council. He was killed in a duel with Captain Sutherland of the 24th Regiment in the Winter of 1795 at Kingston. My brother, James Clark, was appointed to succeed him by Governor Simcoe." The date here given is incorrect. James Clark took office as Clerk of the Legislative Council on June 1st, 1793, and the fact is mentioned in the Journal. The duel must have taken place in 1793 and apparently Sutherland was punished, as White records. In view of the fact that Mr. White's career ended in a similar encounter, with John Small, there is interest in the latter part of the Diary which records the progress of an intimate friendship with Mr. and Mrs. Small at Niagara.

All the formalities of the Mother of Parliaments were observed at the opening of the first Provincial Legislature of Upper Canada. The Journal says "The House being met, all the members were sworn in by William Jarvis, Esquire, who acted by special Commission from His Excellency. The House having proceeded to the election of their Speaker, John Macdonell, Esquire, one of the members for the County of Glengarry, was unanimously elected to be the Speaker. A message from His Excellency requiring the attendance of the House in the Council Chamber, the House attended accordingly." The Speech, although not less platitudinous and vague than Royal Speeches in our own time, is more important since it was the first. The text follows:

"Honourable Gentlemen of the Legislative Council; and Gentlemen of the House of Assembly: I have summoned you together under the authority of an Act of Parliament of Great Britain passed in the last year, which has established the British Constitution and all the forms which secure and maintain it in this distant country. The wisdom and beneficence of Our Most Gracious Sovereign and the British Parliament have been eminently proved, not only in imparting to us the same form of Government but in securing the benefit of the many provisions which guard this memorable Act, so that the blessings of our invaluable Constitution, thus protected and amplified, we hope will be extended to the remotest posterity. The great and momentous Trusts and Duties which have been committed to the Representatives of this Province, in a degree infinitely beyond whatever till this period have distinguished any other Colony have originated from the British Nation upon a just consideration of

the energy and hazard with which the inhabitants have so conspicuously supported and defended the British Constitution. It is from the same Patriotism now called upon to exercise, with due deliberation and foresight, the various offices of the Civil Administration that your fellow-subjects of the British Empire expect the foundation of Union, of Industry and Wealth, of Commerce and Power, which may last through all succeeding ages. The natural advantages of the Province of Upper Canada are inferior to none on this side of the Atlantic; there can be no separate interest through its whole extent; the British form of Government has prepared the way for its speedy colonization and I trust that your fostering care will improve the favourable situation, and that a numerous and Agricultural people will speedily take possession of a soil and climate which, under the British laws and the munificence with which His Majesty has granted the lands of the Crown, offer such manifest and peculiar encouragements."

The Address in Reply promised "a steady and uniform support of every measure which shall tend to strengthen our union with the present Kingdom, and add our mite to its splendour and glory." The formalities, including the establishment of the Parliamentary rules, occupied Monday and Tuesday, September 17th and 18th. On the next day Ephraim Jones, the Member for Grenville, was granted leave to introduce a Bill "to authorize Town Meetings for the purpose of appointing divers Parish Officers." Loyalists of the eastern counties had been holding town-meetings before this time. Some years ago Mr. T. W. Casey discovered among the papers of the Allison Family of the Napanee region the original minutes of a series of town-meetings, beginning March 6th, 1792. The record of this date was as follows:

"A Town Meeting was held in Adolphustown when the following persons were chosen to officiate in their respective offices the ensuing year: Reuben Bedell, Town Clerk; Joseph Allison, Garrot Benson, Constables; Paul Huff, Philip Dorland, Overseers of the Poor; Willet Casey, Paul Huff, John Huyck, Pound Masters. Dimensions of Hog Yoaks, 18 inches by 24. Height of Fence, 4 ft. 8 in. Fence Viewers, Abraham Maybe and Peter Ruttan. Water voted to be no fence. No pigs to run till three months old. No stallion to run. Any person putting fire to any brush or stubble that does not his endeavour to hinder it from doing damage shall forfeit the sum of Forty Shillings.—PHILIP DORLAND, T.C."

Since Dorland signed the minutes as official Town Clerk (T.C.) following the usual custom, it is probable that previous meetings had been held of which no record has yet been found. Bedell, his successor, signs in the same manner. The first settlers in Adolphustown arrived on June 16th, 1784, and soon may have felt the need of settlement-rules and settlement-officials. What was more natural than that they should follow the practice which had been familiar to them in their former homes? Yet there was no legal warrant for their action, all local administration being in the hands of the magistrates assembled in Quarter Sessions, and it is likely that these officials did not look favourably upon an institution which had been used effectively in New England to disseminate Revolutionary ideas. The effort to have the town-meeting authorized at the first Session of the Provincial Parliament did not succeed. The Bill had two readings, and then suffered the three months' hoist.

The proposal was revived at the Session of 1793, a Bill being introduced on June 8th. It disappears from the Journals of the House after June 13th. On June 20th a new Bill appeared: "to provide for the nomination and appointment of Parish and Town officers throughout this Province." It was passed by the Assembly on June 27th and sent to the Council, which amended it and returned it on July 2nd. The amendments were accepted and the Bill became law on July 9th. Thus it required much manœuvring and ten months of time before the settlers could be authorized to elect even a Pound Keeper, before they could secure a voice in filling the humblest local offices, or in determining at what age swine might be permitted to rove at large. The people of Adolphustown—perhaps relying upon local sentiment—held a Town Meeting on March 5th, 1793, despite the "three months' hoist"; after the Act of 1793 had been passed they held another, on August 28th of that year so that they could choose such officers as were allowed by the Statute. Apparently their regular custom was to hold the Meeting on the first Monday in March. Since the Statute set that date for all town-meetings throughout the Province, it is fairly clear that the Adolphustown practice was used as a model in drafting the first legislation governing municipal affairs in the Province. "Vanalstine's Quakers," therefore were the fathers of local responsible government as we know it to-day.

A digest of the Statutes passed at the first Session of the First Parliament (Sept. 17th to October 15th) reflects the temper of the Governor, the members and of the country. The first Act of 1792 declared that in all matters of controversy relative to property and civil rights recourse should be had to the laws of England as the rule for the decision; also that the rules of evidence as established in England should prevail. Chapter Two declared that after December 1st, 1792, all issues of fact which should be joined in any action in His Majesty's Courts of Justice within the Province must be tried and determined by the unanimous verdict of twelve jurors. In view of this legislation Chapter Four was necessary: "To abolish summary proceedings of the Courts of Common Pleas in actions under £10 Sterling." The Honourable Mr. Justice Riddell says with reference to this Act: "The Courts of Common Pleas had a different practice in cases which exceeded the value of £10 Sterling and those which did not; the latter very simple and not unlike our Division Court practice, the former more complicated. The Statute of 1792, Chapter 4, relieved the Courts of Common Pleas of the simpler practice and of the trial of actions not exceeding 40 shillings, Quebec currency. It was thought unjust that a creditor with a small claim should be put to the trouble and expense of the more complicated procedure and a new kind of Court was instituted for creditors where the debt did not exceed 40 shillings currency. The Statute directed that the Magistrates of each District in Quarter Sessions assembled, should divide their District into 'divisions'; that any two or more of the Justices of the Peace in any division might assemble at some fixed place within the district determined by them

on the first and third Saturday of every month and hold a Court of Justice to be called a Court of Requests for the trial of actions involving debt of not more than 40 shillings currency. A simple and inexpensive practice was laid down by the Statute. This was the original of our 'Division Courts' which have played and still play such an important part in our legal system."

Chapter Three established a standard of weights and measures. Chapter Five authorized the magistrates to make rules for fire-protection, and to appoint firemen "in every place where there may be forty storehouses and dwelling houses within half-a-mile square." Chapter Six provided procedure for the speedy recovery of small debts, before two or more magistrates sitting under a special oath. Chapter Seven fixed millers' tolls at one-twelfth, and required the marking of bags used for carrying grain to the mill. Chapter Eight changed the German names of the Districts set up by Lord Dorchester into Eastern, Midland, Home and Western and authorized the building of a jail and Court House in each District.

A Bill was introduced to validate marriages which had not been solemnized by an ordained Anglican clergyman. It was withdrawn after some discussion, that the Government might communicate with the British Government; and appeared at the next Session. The reason for this legislation is best explained in a communication from Hon. Richard Cartwright, to Lieutenant-Governor Simcoe, dated October 12th, 1792:

"From the year 1777," he wrote, "many families of the loyalists belonging to Butler's Rangers, the Royal Yorkers, Indian Department, and other Corps doing duty at the Upper Posts had from time to time come into the country, and many young women of these families were contracted in marriage which could not be regularly solemnized, there being no clergyman at the Posts nor in the whole country between them and Montreal. The practice in such cases usually was to go before the Officer Commanding the Post who publicly read to the parties the matrimonial service in the Book of Common Prayer, using the ring, and observing the other forms there prescribed; or if he declined, as was sometimes the case, it was done by the Adjutant of the Regiment. After the settlements were formed in 1784 the Justice of the Peace used to perform the marriage ceremony till the establishment of clergymen in the country, when this practice, adopted only from necessity, hath been discontinued in the Districts where clergymen reside. This is not yet the case with them all, for though the two lower Districts have had, each of them, a Protestant clergyman since the year 1786, it is but a few months since this District (Nassau or Home) hath been provided with one, and the Western District in which the settlement of Detroit is included is to this day destitute of that useful and respectable Order of men, yet the Town of Detroit is, and has been, since the Conquest of Canada, inhabited for the most part by Traders of the Protestant Religion who reside there with their families and among whom many intermarriages have taken place, which formerly were solemnized by the Commanding Officer or some other layman occasionally appointed by the inhabitants for reading prayers to them on Sundays; but of late more commonly by the magistrates, since magistrates have been appointed for that District."

The legal results of the situation thus described are thus explained: "From these circumstances it has happened that the marriages of the gener-

ality of the inhabitants of Upper Canada are not valid in Law, and that their children must *stricto jure* be considered as illegitimate; consequently not entitled to inherit their property. Indeed this would have been the case, in my opinion, had the marriage ceremony been performed by a regular clergyman and with due observance of all the forms prescribed by the laws of England. For the clause in the Act of the 14th year of His Present Majesty for regulating the Government of Quebec which declares 'that in case of controversy relative to property or civil rights resort shall be had to the laws of Canada as the rule for the decision of the same' appears to me to invalidate all marriages not solemnized according to the rites of the Church of Rome so far as these marriages are considered as giving any title to property. Such being the case it is obvious that it requires the interposition of the Legislature as well to settle what is past as to provide regulations for the future."

In the latter part of the communication, Mr. Cartwright recited the religious situation of the country in 1792. In the Eastern District there was no clergyman of the Church of England. One Presbyterian minister, formerly chaplain to the 84th Regiment, was found there and was paid £50 a year by the Government. There was one Lutheran minister supported by his congregation, and a Roman Catholic priest was at St. Régis. In the Midland District there were two Anglican clergymen, each receiving £100 a year from the Government and £50 from the Society for the Propagation of the Gospel. Some Dutch colonists were looking for a minister, and some itinerant Methodist preachers were in the country. In the Home District there was one clergyman, settled since July, 1792; the Presbyterians had built a meeting house and expected a minister shortly. In the Western District there were no clergy save of the Roman Catholic church.

At this first Session a conflict arose between the Legislative Assembly and the Legislative Council. The Bill dealing with millers' tolls had been amended by the Council in a manner unsatisfactory to the elected House and a joint conference was necessary before agreement could be reached. There are indications also in the Journal that other differences of opinion had appeared. A bill for laying a duty on wines and spirituous liquors imported into the Province passed the Assembly but was rejected by the Council. Prorogation was signalized by "Prayers and a Sermon," by Rev. Robert Addison, the first clergyman at Niagara. His Excellency's final Speech contained the following paragraph: "I particularly recommend you to explain that this Province is singularly blessed, not with a mutilated Constitution, but with a Constitution which has stood the test of experience, and is the very image and transcript of that of Great Britain, by which she has long established and secured to her subjects as much freedom and happiness as it is possible to be enjoyed under the subordination necessary to civilized society."

Mrs. Simcoe's eager interest in the glory of the Niagara River is reflected in her Diary. She had the seeing eye, and many of her references to the

official and social life of the little Capital are interesting. On September 19th she wrote: "A great many settlers come daily from the United States, some even from the Carolinas, about 2,000 miles. Five or six hundred miles is no more considered by an American than moving to the next parish is by an Englishman." She recorded on November 5th the departure of the ships for Kingston where they would be frozen up for the Winter. "A Winter express comes from Quebec late in January and after going to Detroit returns here. It was established for the use of the merchants and travels on snowshoes"—one mail each way in six months! The time from Detroit to Niagara was eight days. Captain Joseph Brant, the Mohawk Chief, dined at Navy Hall on December 9th. Mrs. Simcoe wrote of the distinguished Indian, at this time fifty years of age, "He has a countenance expressive of art or cunning. He wore an English coat with a handsome silk blanket lined with black and trimmed with gold fringe, and wore a fur cap. Round his neck he had a string of plaited sweet hay. It is a kind of grass which never loses its pleasant scent. The Indians are very fond of it. Its smell is like the Tonquin or Asiatic bean." "We play at whist every evening," wrote the Governor's lady on the last day of the year 1792. "Col. Simcoe is so occupied during the day with business that it is a relaxation. I have not lost one rubber since the 28th of November. We usually play four every evening. We have thirty large May Duke cherry trees behind the house and three Standard peach trees which supplied us last Autumn (1792) for tarts and desserts during six weeks, besides the numbers the young men eat. My share was trifling compared with their's, and I eat thirty in a day."

By the Treaty of Paris, 1783, the United States agreed that creditors on either side should meet with no lawful impediment to the recovery of the full value in Sterling money of all *bona fide* debts heretofore contracted. It agreed also "earnestly to recommend to the Legislatures of the respective States to provide for the restitution of all estates, rights and properties which have been confiscated." All political prisoners were to be set at liberty and there were to be no further prosecutions.

The Federal Government of the United States, with all its good intentions, was too weak to direct or even influence the action of the State Legislatures. The States refused to treat the loyalists with decency and the section of the Treaty providing for the passage of a general amnesty act was a dead letter. For that reason the British Government still held the Forts at Oswego, Niagara, Detroit and Michilimackinac and awaited developments. On April 7th, 1794, England now being at war with France, a motion was made in the American House of Representatives that all commercial intercourse with Great Britain and her subjects should be suspended until the Western Posts were surrendered, and until "due compensation for all losses and damages growing out of British aggression on our neutral rights should be made." In view of this concrete and dangerous expression of public opinion President Washington sent John Jay to England in June, 1794, with instructions

to negotiate a Treaty. By November he had completed his task. The Treaty of Amity and Commerce provided for the collection of British debts in the United States, contracted before the Revolution, for the payment of indemnity for unlawful seizures made by the British Navy on the high seas and for the evacuation of the Western Posts. Residents near these Posts were to have the option of removing to British territory or of becoming American citizens. (The town of Sandwich was established on the left bank of the Detroit River by former residents of Detroit who desired to continue as British subjects). Reciprocity of inland trade and intercourse was established between the United States and Canada, but Canadian rivers could not be navigated by American ships below the highest Port of Entry. A list of contraband goods was made out; privateers were to give bonds against the seizure of non-contraband, and seamen of either nation accepting commissions from a third, in conflict with either, would render themselves liable as pirates.

The Treaty reached President Washington in the Spring of 1795 and he called a Special Session of the Senate for its ratification. The vote in favor was 20 to 10, exactly the constitutional two-thirds. When the terms of the instrument became public the Democrats were furious. The Treaty was called "a pusillanimous surrender of American rights," the British Minister at Philadelphia was insulted and at Charleston the British flag was trailed in the dust of the streets. Democratic partisans adorned their hats with the French cockade and denounced the official departure from the French alliance concluded in 1778. The Legislatures of Kentucky, Virginia, and the Carolinas were hostile, but New England stood by the Executive in declaring this Treaty as the law of the land.

At the arrival of Col. Simcoe in Upper Canada the Fort of Niagara was still held by British troops; two companies of the Fifth Foot under Major Smith (D. W. Smith's father). But the Governor realized that in time the fortress would be evacuated and handed over to the Republic. Therefore he was convinced that Newark was not a suitable site for the Capital of the new Province. One of his first tasks after meeting the Legislature in 1792 was to seek for a seat of Government which would be out of range of a possible enemy's guns. The scope of his preliminary journey is indicated by the following extracts from Mrs. Simcoe's Diary: "1793. Jan. 10. The Governor set out to walk to Burlington Bay about fifty miles from here. Jan. 17. The Governor returned at five to-day from his walk to Burlington Bay. He was delighted with the beauty of the country and the industry of the inhabitants. He lodged every night in houses where he was accommodated with a clean room and a good fire."

A more ambitious journey was begun on February 4th, 1793, when the Governor, accompanied by Major Littlehales, Captain Fitzgerald, Lieut. D. W. Smith, Lieut. Talbot and Lieut. Gray, set out for Detroit by the land route. They left Navy Hall in sleighs, and proceeded by way of Jordan and Grimsby, then marked by not more than a single house, and reached

"Nelles's" on the Grand River on the 6th. This was probably Caledonia. Thence following the River they came to the Mohawk Settlement and Captain Brant's house, near the present Brantford. Major Littlehales who wrote a journal of the trip said, "The country between this place and Niagara, a distance computed at seventy miles, is in a tolerable state of improvement. The mountain is well timbered. . . . Here is a well-built wooden church with a steeple, a school and an excellent house of Captain Brant's. We heard Divine service performed by an Indian." On the 10th the party came to an encampment of the Mississaugas and slept at a trader's house. Two days later, after passing "some fine open plains" they came to the site of London, concerning which the Major was most enthusiastic.

They pressed on, probably by way of Lambeth, to the Delaware Indian village, taking breakfast there on the 15th. Then after walking twelve or fourteen miles on the ice of the River they reached the house of "a Canadian trader," and a little beyond "discovered a spring of an oily nature which, upon examination, proved to be a kind of petroleum." This was in the neighborhood of Bothwell, where the oil pumps are working to-day. Two days later, on the 17th, they reached the Moravian village. "This infantine settlement," wrote the Major, "is under the Superintendence of four missionaries, Messrs. Zeisberger, Senseman, Edwards and Young, and principally inhabited by Delaware Indians who seem to be under the control and in many particulars under the command of these persons. They are in a progressive state of civilization, being instructed in different branches of agriculture and having already corn-fields."

Before the Revolution the Moravian United Brethren had established a number of settlements and missions in the Colonies. Bethlehem, Pennsylvania, was their *chef-lieu* but they had pressed westward as far as the neighborhood of Toledo preaching their doctrines of brotherhood and non-resistance and establishing a series of Christian Indian villages. When the Revolution came their pacifism rendered them suspect by both sides. Hostile Indians and frontiersmen under the American Col. Crawford attacked their village on the Muskingum and killed ninety of the inhabitants—a ferocious act which was revenged by the Wyandots who captured Crawford and his son-in-law and put them to a cruel death. The remnant of the Christian Indians was given asylum in Upper Canada. In 1792 the Moravians received a grant of 50,000 acres of land along the lower course of the Thames, and established a mission there which they named Fairfield. They built twenty-nine houses and huts and erected a chapel. After the War of 1812 a settlement now known as Moraviantown was established on the other side of the River.

In 1801 the Moravian missionaries, G. S. Oppell, C. T. Denkey and Michael Young, petitioned Parliament for a law prohibiting the sale of liquor to the Indians under their care. The petition declared that the missionaries had no other intention whilst residing with the Indians than in the first place

to introduce religion amongst them by acquainting them with their God and Creator, and to publish and preach to them the Divine and all-saving Word of God manifested and revealed to them. Their secondary object was to "lead them into a state of cultivation by keeping schools, teaching them to read, write and cipher, and instructing them in agriculture, etc." Complaint was made that the missionaries laboured hard under divers obstacles which seemed contrary and destructive to their benevolent design, especially the frequent sale of spirituous liquors to Indians, which certainly "ruined them totally." The law desired was passed—the first prohibitory measure of Upper Canada.

Major Littlehales's entry for the 18th is as follows: "Crossing the Thames and leaving behind us a new log house belonging to a sailor named Carpenter, we passed a thick, swampy wood of black walnut. We then came to a bend of La Tranche (the Thames) and were agreeably surprised to meet twelve or fourteen carioles—and about four o'clock arrived at Dolsen's, having previously reconnoitred a fork of the River and examined a mill of curious construction erecting upon it. The settlement where Dolsen resides (now Chatham) is very promising, the land is well adapted for farmers and there are some respectable inhabitants on both sides of the River. From Dolsen's we went to the mouth of the Thames in carioles, about twelve miles." After visiting a famous Indian battlefield in the neighborhood, the party went on to Detroit. The Major remarked upon the narrow farms on both sides of the river—three or six acres on the waterfront where the houses were built, by forty-five in depth, which constituted the farms and apple-orchards. "This, with a few large windmills dispersed on the bank of the strait, gives an appearance of population and respectability."

Isaac Dolsen (or Dolson) applied for land on the Thames on September 4th, 1789. He had been settled at Niagara since 1782. In the Spring of 1791 when Patrick McNiff, of Detroit, laid out the Townships of Dover, Chatham, Tilbury and Raleigh, he found Dolsen, his brother, Jacob, and twenty-seven other families settled on the River front, some with very considerable improvements. In a letter to Hon. Hugh Finlay, of Quebec, dated May 3rd, 1791, McNiff said that nearly 100 able young men of Butler's Rangers had left the Detroit country within the space of one year owing to His Majesty's bounty of provisions, etc., being withheld. He added that the whole eastern shore from Rivière aux Canards to Peach Island at the outlet of Lake St. Clair was thickly settled.

In the record of the return journey Major Littlehales painted in one sentence an interesting picture though one not wholly free of sentimentality: "After taking some refreshment of salt pork and venison, well cooked by Lieut. Smith . . . we as usual sang 'God Save the King' and went to rest." Personal loyalty to the Sovereign in those days had the quality of a religion. Only as that fact is remembered can one understand the heat displayed by military officers and British officials in contemplation of the United States

of America and of Revolutionary France. The party returned by Ancaster, then known as Wilson's Mills, to Burlington Bay, where Col. Beasley was already established. Then touching at Green's (which is now Grimsby) they came to Newark and Navy Hall. Mrs. Simcoe wrote on March 10th: "The Governor returned. He found his expectations perfectly realized as to the goodness of the country on the banks of La Tranche and is confirmed in his opinion that the fork of the river is the most proper for the Capital of the country to be called New London, on a fine, dry plain, without underwood, but abounding in good oak trees."

The Governor was by no means the first European to take the land-journey to Detroit. Mention has been made of a "Mr. Goddard" who made the trip in 1776. Then in 1789 Lord Edward Fitzgerald, the ill-starred Irish peer, travelled that way in company with Joseph Brant and at Detroit was officially admitted to the Six Nations and given an Indian name. In his "Life" by Thomas Moore occurs a letter containing these sentences: "The Indians are delightful people, the ladies charming, and with manners that I like very much. They are so natural. Notwithstanding the life they live which would make most women rough and masculine, they are as soft, meek, and modest as the best brought up girls in England. At the same time they are *coquettes au possible*. Conceive the manners of Mimi in a poor squaw that has been carrying packs in the woods all her life!"

The legislative programme of 1793 began with an Act for the better regulation of the Militia, but this Statute was rendered obsolete by the famous Militia Act of 1794. Chapter Two, to which reference has been made, may be counted as the point of beginning whence the municipal government of the Province has developed. The Statute permitting the election of certain Township officers by town-meeting is known as 33 George III., cap. 2, and was passed under discussion between May 31st and July 9th, 1793. It provided that any two Justices of the Peace might issue a warrant to the constable of "any parish, township, reputed township of place" authorizing the calling together on the first Monday in March annually of all ratepayers in the parish church, chapel or some convenient place for the purpose of nominating and choosing parish or town officers; namely, a town-clerk, two assessors, one tax-collector, from two to six persons as overseers of highways and fence-viewers, one pound-keeper and two town-wardens.

With respect to the wardens the Act said that as soon as a church was built according to the use of the Church of England, with a parson or a minister duly appointed thereto, the householders should nominate one warden, and the minister one other, to serve as church-wardens and town-wardens; these being a corporation to represent all the inhabitants, with power to hold property and to sue, or to defend actions on behalf of the inhabitants. That a Church Establishment for Upper Canada was still considered as a thing settled is clearly shown by this legislation. The Act also provided a penalty of 40s. upon any regularly elected person who refused or neglected to do the

work for which he was elected; but a man who had served for one year could not be chosen again without his consent until three years had elapsed.

Chapter Three provided for the laying and collecting of assessments, and for the payment of "wages" to the Members of the Legislative Assembly. Chapter Four regulated the laying-out, amending and keeping in repair of the public highways. Chapter Five was the Marriage Act to which reference has been made. It provided that all marriages publicly contracted before any magistrate, commanding officer of a post, adjutant, or surgeon of a Regiment acting as Chaplain, or any other person in any public office or employment, in the period before the passing of this Act were to be valid in law. In future, if the contracting parties to a marriage were not within eighteen miles of a clergyman of the Church of England they might be married by a Justice of the Peace after he had published the banns on three successive Sundays. Chapter Six fixed the times for the holding of General Quarter Sessions by the magistrates.

Chapter Seven prevented the bringing of negro slaves into the Province, limited the term of contract for binding a slave to nine years, and decreed that the children of slaves should become free at the age of twenty-five. Chief Justice Osgoode before this had declared in a charge to a Grand Jury that slavery should not be permitted. Doubtless he had in mind Lord Mansfield's judgment in the case of James Somerset, a slave who had been brought into England in 1772. Said that eminent Judge: "Villeinage has ceased in England and it cannot be revived. The air of England has long been too pure for a slave and every man is free who breathes it." Governor Simcoe was in cordial agreement with Osgoode in the promotion of this legislation as he declared in a message to Parliament. The preamble of the Act read as follows: "Whereas it is unjust that a people who enjoy freedom by the law should encourage the introduction of slaves and whereas it is highly expedient to abolish slavery in this Province so far as the same may be gradually done without violation of private property, be it enacted . . . that from and after the passing of this Act it shall not be lawful for the Governor, Lieutenant-Governor, or person administering the Government of this Province to grant a license for the importation of any negro or other person to be subjected to the condition of a slave or to a bounden involuntary service for life into any part of this Province." It was stipulated that nothing in the Act could be construed to liberate any slave purchased or acquired before the passing of this legislation. A number of the more wealthy inhabitants were served by negro chattels, notably Hon. Peter Russell, as contemporary advertisements and diaries testify. (*)

It is an important fact that Upper Canada was the first British country to legislate against slavery. The first European country to take such action was Denmark, in 1792. Whether or not the officials of Upper Canada were

*The Willcocks Diary has a curious note concerning "Pompadore" one of Mr. Russell's slaves. He had been "mitching" or "playing truant" from his work at the farm, and apparently was an unprofitable servant. Mr. Russell paid him some money as "wages" took a receipt for it and then discharged him. The sale of a slave was illegal.

influenced directly by William Wilberforce is unknown, but it is a fact worth mentioning that the reformer moved in the House of Commons in 1791 for leave to bring in a Bill to prevent further importation of slaves into British colonies. Col. John Graves Simcoe was a Member of Parliament at that time. Moreover the rights and wrongs of slavery had been before the public for some time. Thomas Clarkson's book dealing with the deviltries of the African slave trade was published in 1788. The Wilberforce motion of 1791 failed of adoption but when a similar one was introduced in 1792 it was carried,—and refused by the House of Lords. Year by year Wilberforce pressed for this reform until in 1806 he got a vote in the House of Commons of 114 for and 15 against. In the following year the Fox Administration accepted the principle. Slavery was not wholly abolished in British colonies until 1833.

Chapter Eight established a Court of Probate and a Surrogate Court for each District; Chapter Nine provided for the naming of certain (*) commissioners under Government to confer with the authorities of Lower Canada on the division of import duties; Chapter Ten gave authority for the payment of salaries to the officers of Parliament and for the payment of contingent expenses; Chapter Eleven encouraged the destruction of wolves and bears, and Chapter Twelve provided for the appointment of Returning Officers. The final Act of the Session of 1793 laid a Provincial license fee of 20s. currency, on all retailers of intoxicating liquors. This was in addition to the existing fee of £1 16s., established before the separation of the Province from Quebec.

Under the French régime duties had been imposed on spirits and a tax of £3 per centum *ad valorem* was collected on all dry-goods imported into and exported from the Province. By British legislation of 14 Geo. III. these duties were abolished after April 5th, 1775, and a new schedule was adopted. On every gallon of brandy or other spirits of British manufacture a tax of 3d. was laid. Rum or other spirits from the Sugar Islands of the British West Indies paid 6d. a gallon; from other of the British Colonies in America, 9d. a gallon. On every gallon of foreign brandy or spirits imported from England the tax was 1s. A similar duty was charged on spirits from American plantations. On molasses and syrups brought by British vessels the tax was 3d.; by foreign vessels, 6d. For imports from the south St. John's, on the Sorel River (Richelieu) was the sole port of entry. Smugglers were subject to a fine equal to three times the value of the goods seized, and the transport was confiscated. Persons licensed to sell spirits by retail paid £1 16s. for the privilege.

At the opening of the Second Session of Parliament the Lieutenant-Governor had announced that "the persons who at present exercise the Supreme Authority in France" had declared war against the British Nation; he declared that Britons knew how to estimate the vain assumptions of inno-

*Hon. Richard Cartwright and Timothy Thompson.

vators since they inherited "those Civil and Religious Blessings which are derived from a free Constitution, equally abhorrent of Absolute Monarchy, arbitrary Aristocracy, or tyrannical Democracy." The answer of the law-makers was found in an Address to the King, passed on July 8th, and pledging to His Majesty their loyalty and love. "We cannot revert to the sacriligious murder in France," the Address continued, "without horror and abhorrence of the men and principles that have effected it, but as a work of evil sometimes produces good, we cherish the hope that a conduct so baneful to every precept of Religion and Law will serve to rivet the loyalty and attachment of our fellow subjects as it has ours to the best of Kings, and of Constitutions the most excellent."

Necessity arose during the session to assert the Privilege of Parliament as the following resolution indicates: "That the Speaker do inform W. B. Sheehan, Esquire, Sheriff of this District, that the House entertain a strong sense of the impropriety of his conduct towards a Member of this House in having served a Writ of Capias upon the said Member, contrary to his Privilege, and that the House has only dispensed with the necessity of bringing him to their Bar to be further dealt with from a conviction that want of reflection and not contempt made him guilty of an infringement upon the privileges of the House."

The Lieutenant-Governor's Speech at Prorogation contained the following paragraph:

"The Act for the gradual abolition of Slavery in this Colony which it has been thought expedient to frame in no respect meets from me a more cheerful concurrence than in that provision which repeals the power heretofore held by the Executive Branch of the Constitution and precludes it from giving sanction to the importation of Slaves, and I cannot but anticipate with singular pleasure that such persons as may be in that unhappy condition, which sound policy and humanity unite to condemn, added to their own protection from all undue severity by the Law of the land, may henceforth look forward with certainty to the emancipation of their offspring."

On September 24th, 1793, Lieut.-Col. Simcoe set out for Penetanguishene, riding with several officers to Holland Landing by way of the Humber Valley. The horses were returned to York on October 2nd. The water trip began at the Holland River, after the five canoes necessary had been dragged across the marsh, the explorers sinking at every step. The travelling order was as follows: First canoe, the Governor, Alexander Aitkin, the surveyor, an Indian and two Rangers; second canoe, Lieut. Pilkington, Lieut. Darling, and two servants; third canoe, Lieut. Givens and two Indians; fourth canoe, Capt. Alex. Macdonell, one Indian and two Rangers; fifth canoe, Aitkin's surveying assistants. Capt. Macdonell's Journal shows that the route was up the west shore of Lake Simcoe to the present Big Bay Point, and thence directly across the eight-mile stretch of Kempenfeldt Bay. It is not surprising that the probable state of the weather exercised the travellers; any wind thereabouts soon makes a sea sufficiently high to render navigation

in a bark canoe distinctly perilous. This was the only danger-point in the entire journey, but the Lake was kind and in due time the party was resting on the north shore.

They coasted to the Narrows and through Lake Couchiching—then unnamed—to the Severn, descending that fascinating stream to Machedash Bay. The Governor spent several days on the Bay shore conferring with Mr. Cowan, a fur trader, and the first resident white man in that region. He had a house, a storehouse, and a small barn on three sides of a stockaded quadrangle, the gate being on the fourth side. Of the trader Captain Macdonell says: "He is a decent, respectable-looking man, and much liked by the Indians. He was taken prisoner by the French at Fort Pitt during the War of 1758 and '59, when a boy. He has adopted all the customs and manners of the Indians and speaks much better French than English. He has been at Machedash upwards of fifteen years, makes an annual trip to Michilimackinac and forwards his furs from there to Montreal. He has six Canadians engaged with him and is known by the name of Constant." His place was said to be about nine miles from Penetanguishene Bay; the ruins of the Post now called The Chimneys are well known. Owing to unfavourable weather the party did not explore Penetanguishene Bay, but observed it from the small island off the entrance, known as Place la Traverse, and questioned Cowan closely as to the Bay's military and naval possibilities. Then after a short rest the party returned over the same route to York, arriving on October 20th.

If Lieutenant-Governor Simcoe had had a free hand the Capital of Upper Canada would have been London, a place protected by distance from American raiders. Arsenals and naval stations would have been established at Toronto on Lake Ontario and at Turkey Point on Lake Erie. His military eye early perceived the advantages of these two natural harbours. But Lord Dorchester would not approve the expenditure of public money on the north shore of Lake Erie and determined that the Capital should be easily available to shipping. His preference was for Kingston, but he accepted Toronto as a compromise. Settlement began at Toronto with the arrival of the Lieutenant-Governor and a party of Queen's Rangers in July, 1793. The officials of Government received land grants and soon there was a considerable community in the neighbourhood. There was no such aid for the Turkey Point settlement. The first comer to the present Norfolk County was "Doctor" Troyer. The first of the American Loyalists to arrive was Lucas Dedrick, a Pennsylvanian. This was in 1793. Shortly afterwards in the same year came Frederick Maby (or Mabee) from New Brunswick; on the second stage of a migration from Massachusetts. In that State Maby had been a prosperous farmer, but his political opinions made him obnoxious to his neighbours and they took direct action. One morning he found that some one had cut off the tails of his sixteen cows and had hamstrung some of his best horses. Lest worse might befall he set out in 1785 with his wife and

seven children for the north. Two of his daughters were married to Peter Teeple and John Stone respectively, and these joined the little company. The climate of New Brunswick was found to be too severe, and when two friends, Peter Secord, and a trapper named Ramsay, told them of the pleasant shores of Lake Erie they came westward—twelve hundred miles by flood and forest trail, and settled in Charlotteville overlooking Turkey Point. Maby died in the following year and was buried on his farm. A year later Governor Simcoe knelt beside the grave, in respect to the memory of a loyal British subject and an indomitable man. Others who followed the Mabys were Edward McMichael, Abraham Smith, and Solomon Austin with their families. The first clergyman in the neighbourhood was Rev. Jabez Culver, who had been a Presbyterian Minister in New Jersey and began to hold services weekly in his farmhouse in 1794. Elder Titus Finch, a Baptist miller, preached at Long Point in 1788 but a congregation was not formed until 1804. Methodist preachers appeared from time to time and two chapels were built before 1806. Then in that year the Presbyterians built the "Old Windham" Church. The first Anglican service was conducted by Rev. Robert Addison, of Niagara, who visited the district in 1805 to baptize some children, although the set prayers were read from time to time by Captain Samuel Ryerse, an early and rough-hewn settler who built the first mill at Long Point.

On May 2nd, 1793, Lieut.-Col. Simcoe, accompanied by seven officers, coasted around the Lake to inspect the north shore. On May 13th Mrs. Simcoe wrote in her Diary: "Colonel Simcoe returned from Toronto and speaks in praise of the harbour and a fine spot near it, covered with large oaks, which he intends to fix upon as the site for a town." Arrangements were made for an official summer visit to the new townsite and on July 29th one hundred men of the Queen's Rangers, in charge of Captain Shaw, crossed the lake in batteaux. Two days later Captain Smith followed in the schooner *Caldwell*. Within a week Mrs. Simcoe sailed on the *Mississaga* and at eight o'clock in the morning of July 30th was in Toronto Harbour. The vessel was piloted by J. B. Rousseau, a French-Canadian trader living on the Humber. The Governor probably was a few days later in arriving. Mrs. Simcoe's entry in her Diary for July 30th here follows: "The Queen's Rangers are encamped opposite to the ship. After dinner we went on shore to fix a spot whereon to place the canvas house, and we chose a rising ground, divided by a creek from the camp which is ordered to be cleared immediately." The rising ground was close to the present Queen's Wharf at the southern end of Bathurst Street and the stream was Garrison Creek, long ago transformed into an underground sewer. The canvas house which served as the Governor's residence had originally belonged to Captain Cook, the circumnavigator. It was bought by Lieut.-Col. Simcoe in London at a sale of the explorer's effects.



MRS. JOHN GRAVES SIMCOE
in her later days

Mrs. Simcoe's enthusiasm never flagged. One day she was exploring the Peninsula, which did not become an Island until 1854 when the lake broke through the narrow sandbar. Another day she was going to the townsite, east of George Street on the waterfront, where she met Alexander Aitkin, the surveyor who was laying out the first streets. Again she was in a small boat examining the remarkable heights to the eastward. "The shore is extremely bold," she wrote, "and has the appearance of chalk cliffs." She and her husband entertained themselves by the suggestion that they might build a summer house there and call it Scarborough. On another occasion they visited "the creek which is to be called the River Don." There was a little journey to the site of the old French fort, but no buildings or remains of buildings were discoverable. Wherever she went the Governor's lady was charmed with the natural beauty of the forest and the shore, and she sketched indefatigably. She was younger than her husband, perhaps a shade less stately and serious, though not less courtly, and seemed to be wholly fascinated by the novelty of the wilderness.

Hon. Peter Russell came to Toronto Bay at the end of August, 1793, to attend a Council summoned by the Governor. While he was impressed with the excellence of the site for a town the crudity of all things appealed to his sense of humour. He wrote as follows to his sister at Newark under date of September 1st: "The Governor and Mrs. Simcoe received me very graciously but you can have no conception of the misery in which they live, the canvas house being their only residence, in one room of which they lie, and see company, and in the other end—the nurse, children squawling, etc. An open bower covers us at dinner and a tent with a small table and three chairs serves us for a Council room. We had a Council of half-an-hour yesterday, and another to-day, after Church (*) of three hours.

"I attended His Excellency yesterday up the shore to the Town about two miles from our camp. Nothing can be pleasanter than this beautiful Bason bounded on one side by a number of low sandy peninsulas, and on the other by a bluff bank of sixty feet from which extends back a thick wood of huge forest trees. The town occupies a flat about fifty yards from the water. . . The town consists for the present of four ranges of squares each court containing five squares, and each square two rows of houses, four in each row. The range of squares are bounded by broad streets and the fronts of the houses are to be forty-six feet in length and to be built after a model, with columns, facing the water. When this plan is to be carried into execution the Lord only knows, for no attempt has been yet made by any intended inhabitants except Mr. Robinson who is making preparations for erecting a small back house. . . . His Excellency has fallen so much in love with the land that he intends to reserve from population the whole front from the Town to the Fort, a space of nearly three miles."

*The first record of a Protestant service in Toronto. As there is no reference to the presence of a chaplain it is possible that Colonel Simcoe himself read the prayers, as the military officer in command.

On August 26th, 1793, an official Order, signed by E. B. Littlehales, Major of Brigade, was issued, to the effect that the Lieutenant-Governor having received information of the success of His Majesty's arms under His Royal Highness the Duke of York, by which Holland was saved from the invasion of the French, had determined to change the name of Toronto to that of York. The Order was effective from August 27th, and on that date a salute of twenty-one guns was fired to commemorate the event. In Europe the times were out of joint. On January 21st of the year 1793 Executioner Samson, *ci-devant* brewer, showed the Parisian mob the head of King Louis. In a few days England signified to Citizen Chauvelin the French Ambassador, that he must quit the country within a week. Carlyle says: "England has donned the red coat; and marches with Royal Highness of York—whom some once spake of inviting to be our King. Changed that humour now; and ever more changing, till no hatefuller thing walk this Earth than a denizen of that tyrannous Island; and Pitt be declared and decreed with effervescence *l'ennemi du genre humain,* the enemy of mankind."

It is not surprising that an English general officer, fresh from a long wrestle with republicanism in America, and aghast at the depths of disloyalty to which France had fallen, should display enthusiasm at a victory over these regicides, however unimportant in the course of history that victory might be. Two days after the forest Capital was named York the French Committee of Public Safety was putting all France under requisition for military purposes, and the Reign of Terror had begun. Marie Antoinette was guillotined on October 17th. The news did not reach York until the 1st of March. The world was a dim and doubtful place altogether before the time of the electric telegraph and the railway. We do not clearly appreciate the mystery of that darkness. The little Court at Newark gave orders for the wearing of mourning in honour of the Queen of France and a dance that had been arranged was postponed. The social pleasures of Mrs. Simcoe and her friends were not neglected. Writing to Mrs. Hunt, who had charge of her children left in England, the Governor's lady said: "There are as many feathers, flowers and gauze dresses at our balls, which are every fortnight, as at a Honiton assembly, and seldom less than eighteen couples." While this entry had reference to the society of Newark, the spirit of gaiety that made the ball so fine was transferred to the north side of the Lake when Mrs. Simcoe finally moved to York. However rude were the surroundings, however stern the wilderness and the men to conquer it, there was a centre of refinement and intelligence at the Capital of Upper Canada in those early days.

The western Indians had resented the steady advancement of American settlement and had declared that no white inhabitants should live north of the Ohio River. The frontiersmen who were none too gentle in manners ignored the pretensions of the Indians to ownership of these lands, attributed every Indian uprising to unbridled savagery, and themselves went on the

war path to enforce their demands. It was inevitable that arable lands should ultimately be tilled, but the British system of purchasing Indian territory for the use of the whites was preferable, since the friendliness of the natives was preserved by this show of justice. Great Britain, in the hope of clearing away some misconceptions, offered its good offices in 1793 to conclude a treaty between the Republic and the western Indians. The American Government before deciding whether or not this offer should be accepted named three commissioners to negotiate a treaty with the Indians at Sandusky and these first come to Newark to confer with Governor Simcoe. They were Beverley Randolph, of Virginia, General Benjamin Lincoln and Col. Timothy Pickering, both of Massachusetts.

Benjamin Lincoln, after two years of active military service with the Revolutionists, became a Major-General and was in command at the Battle of White Plains. In 1778 he was in command of the Southern army, was twice beaten, shut up in Charleston and forced to surrender to Sir Henry Clinton. Let it be remembered that Peter Russell, Governor Simcoe's right-hand man, had been Clinton's military secretary in this campaign. The meeting between these two war-dogs would be interesting. Still Lincoln's feelings had been salved before this, for he was the officer chosen by General Washington to receive the surrender of Lord Cornwallis, and he was Secretary of War from 1781 to 1783. Colonel Pickering in 1780, was Quartermaster-General of the Revolutionary army. In 1791 he was Postmaster-General, and in 1795 became Secretary of War. Under his administration the famous military academy of West Point was established. He succeeded Randolph as Secretary of State. Beverley Randolph, the son of Col. Peter and Lucy Bolling Randolph, was born in 1754 at Chatsworth, Henrico County, Virginia, and was graduated from William and Mary College in 1771. He was an active Revolutionist during the whole course of the war, and in 1788 succeeded his kinsman Edmund Jennings Randolph as Governor of Virginia. During his three-year term there were depredations by Indians along the frontier, and in consequence he was keenly interested in any measure for the pacification of the tribesmen. He died in 1797.

Considering Governor Simcoe's rooted hostility towards the Government at Philadelphia one would not have been surprised if the meeting between him and the commissioners had been marked by coolness and extreme formality. Such was not the case. The Governor did not permit his political duties to interfere with his duties as a host. As soon as the American officials crossed the Niagara River they received an invitation to be the Governor's guests. More, Colonel Simcoe wrote to Colonel John Butler and Alexander McKee, who had supervision of Indian affairs, earnestly recommending that every precaution be taken to assure the safety of the commissioners while at Sandusky conferring with the Indians. He detailed Captain Bunbury and Lieutenant Givens to accompany the Americans on the last stage of their journey.

General Lincoln kept a Journal (*). He made the following entry on June 4th, 1793, describing an evening party given by the Governor in honour of the King's birthday:

"In the evening there was quite a splendid ball, about twenty well-dressed and handsome ladies and about three times that number of gentlemen present. They danced from seven o'clock to eleven when supper was announced and served in very pretty taste. The music and dancing were good and everything was conducted with propriety. What excited the best feelings of my heart was the ease and affection with which the ladies met each other, although there were a number present whose mothers sprang from the aborigines of the country. They appeared as well-dressed as the company in general and intermixed with them in a measure which at once evinced the dignity of their own minds and the good sense of the others. These ladies possessed great ingenuity and industry and have great merit; for the education they have acquired is owing principally to their own industry, as their father, Sir William Johnson, was dead and the mother retained the manners and dress of her tribe. (†) Governor Simcoe is exceedingly attentive in these public assemblies and makes it his study to reconcile the inhabitants who have tasted the pleasures of society to their present situation in an infant province. He intends the next winter to have concerts and assemblies very frequently. Hereby he at once evinces a regard for the happiness of the people and his knowledge of the world; for while the people are allured to become settlers in the country from the richness of the soil and the clemency of the seasons it is important to make their situation as flattering as possible."

General Lincoln on his return to the United States wrote a letter of cordial acknowledgment for the attentions of the Governor and sent with it on behalf of the commissioners a present of wine and candles. In reply Col. Simcoe said that he would have been happy had the wind allowed of seeing General Lincoln again before he had left Canada. He expressed surprise and regret that the conference with the Indians had brought no practical results, and wished for the termination of the war. The present of wine and candles had been received, but as the Governor had already laid in his annual supply, he had made bold to transfer it to some gentlemen "who will not forget to drink the health of the commissioners around the winter fire." Col. Pickering sent a packet of garden-seeds which must have been received by Mrs. Simcoe especially with much gratification.

On September 23rd, 1793, Captain Smith and a party of soldiers began to open a road from Burlington to the River Thames. It was named Dundas Street in honour of the Secretary for the Colonies. The clearing for Yonge Street from York to Lake Simcoe began on December 28th, 1795, and continued all winter. It was finished in April, 1796, and named after Sir George Yonge, Secretary of State for War, and Member of Parliament for Honiton, near the Simcoe estate in Devonshire.

The most important legislation of the Third Session of Parliament which met in 1794 was the Militia Act. It gave authority to the Governor

*Published by the Massachusetts Historical Society.

†Molly Brant's daughters were married to Capt. Farley of the 60th Regiment, Lieut. Lemoine of the 24th Regiment, John Ferguson of the Indian Department, Capt. Earle of the Royal Navy, and Dr. Robert Kerr of Niagara.

to appoint a Lieutenant in every County, whose duty it would be to enroll the male inhabitants between 16 and 50, to name a Deputy-Lieutenant and Militia officers for the section of country over which he had supervision. These officers had to be approved by the Governor, and after such approval their commissions would issue. In each district the Lieutenant, Deputy-Lieutenant and one Justice of the Peace formed a Militia Board meeting annually on June 4th (if on a week-day) and formally enrolling the male inhabitants liable for service. In each district or sub-district the militiamen were to be called together for exercise and instruction at least twice a year. Exemption from militia service was granted to civil officials, clergymen, sailors, physicians, teachers, ferrymen, and one miller for every grist mill. Quakers, "Menonists" (Mennonites) and Tunkers were excused from service but were compelled to pay 20s. per annum in time of peace and £5 in time of war for the recognition of their religious scruples. The penalties for neglect to enroll, for disobedience of orders, or for other unmilitary practices, ranged from 10s. to 40s. according to the rank of the offender. Neglect or refusal to perform duty during war, rebellion, or any pressing exigency of the State was to be visited with a fine ranging from £20 to £50; and in default of payment, six months to a year in jail.

While authority was given to the Governor to employ the militia either alone or with His Majesty's regular forces, it was not to be marched out of the Province. Clear proof that a wholly distinct military force was contemplated appeared in the provision that in case a court-martial was constituted to deal with any grave offence by a militiaman, no regular officer should be a member of it. To make sure that the Lieutenants and Militia officers should have a personal interest in defence, it was provided that they should be landed proprietors within their districts. Every Deputy-Lieutenant had to have 500 acres clear of incumbrance, every Colonel or Lieutenant-Colonel, 400 acres; every Major or Captain, 300 acres; every Lieutenant and Ensign, 200 acres. All were under obligation to take the oath of allegiance before a magistrate at Quarter-Sessions within six months of their appointment.

One section of the Act was particularly drastic. It provided that any action against a Lieutenant or Deputy-Lieutenant to secure redress for some act performed in the course of duty must begin within six months after the offence had been committed. The defendant was given the right to plead "the general issue" and give "the special matters and this Act in evidence." In case the plaintiff should be non-suited or judgment should be given against him, the defendant should be entitled to "treble costs."*

*This section was repealed by the Act of 1797 "for the further regulation of the Militia of this Province." Other provisions in the amending Act were that every enrolled man should provide himself with a "musket, fusil, rifle, or gun," with at least six rounds of ammunition, and should come so provided when called out for review, exercise or active service; that in case any person were wounded in action he should be taken care of and provided for by the public; that the money from fines and penalties should be used by the Lieutenants for the purchase of drums, fifes, colours, banners, regimental books and incidental expenses. Any money left over should be given in prizes for shooting at a mark. The final section of the amending Act declared that upon pressing occasions, in the time of war or insurrection, it should be lawful for the Lieutenant-Governor or Administrator of the Province to march such part of the Militia of Upper Canada as he might think proper, to the assistance of the Province of Lower Canada.

During the third Session, Hon. Peter Russell introduced in the Legislative Council a Bill for the establishment of Superior Courts of the English type, in substitution for the Courts of Common Pleas and other Courts which had arisen out of Canadian experience and French custom. It was a Government measure, drafted by Chief Justice Osgoode at the request of the Lieutenant-Governor, and in consultation with him and the other members of the Executive.

The Bill was introduced on June 11th, 1794, and the 16th of the month was appointed for the second reading. On that day Hon. Richard Cartwright of Kingston moved the three months' hoist and was seconded by his friend and business associate, Hon. Robert Hamilton of Queenston. This was the first instance of formal opposition to the Government of Upper Canada, and the Legislative Assembly adjourned in order to hear the debate in the Upper House. The arguments have been summarized by Mr. Justice Riddell as follows:

"Cartwright and Hamilton, while admitting that such a Court was proper in England, a country of comparatively small extent in which communication was easy and expeditious, and in which the City of London, where the Court was fixed, furnished the greatest number of cases in the Kingdom, urged that Upper Canada had a thin population scattered over an immense extent of territory. The great mass of the population was situated in the Western District, or in the two Districts in the east of the Province, remote from the seat of the Court, and divided from it by hundreds of miles of inland lakes and waste lands, shut out from all communication for nearly five months in the year, without professional men, or the prospect of sufficient business to support them. It was urged further that the expense, delay and embarrassment which would be occasioned by the change would amount in many cases to a denial of justice. Moreover it was said that the existing Courts satisfied the people, that only one appeal had ever been taken, and that that had been dismissed.

"For the Bill it was argued that it was a measure expected by the public as one of the first objects of every civil establishment, a benefit enjoyed by every Colony connected with the British Dominions. Then, as now, one of the most powerful arguments in favour of any proposed measure was that it was British. The membership of the Legislative Council was very small and all the members were not present. Osgoode was in the chair, and on the floor of the House were Peter Russell (the Receiver-General) and James Bâby, both members of the Executive Council and therefore in favour of the Government's Bill, while opposing were Richard Cartwright and Robert Hamilton. The motion of Cartwright was negatived by the casting vote of the Speaker, Chief Justice Osgoode, and the Bill went to Committee of the Whole and was under consideration five days. It was reported out on June 21st, read and ordered to be engrossed. The only amendment made was in deference to the opposition: the time-honoured names of the Terms of Court were changed to the names of the months in which the Terms began. Cartwright's assertion that the Courts of Common Pleas were wholly satisfactory was at once challenged, and instances were brought forward of decisions which favoured himself and Hamilton to the disadvantage of others. They were the agents for the purchase of wheat for the Forces, and as such, gave long-date notes for the wheat to the farmers. These Courts held that the notes must be presented on the day at the place named for payment, whereby 'the people have been hitherto most grievously oppressed' and

it was suggested that 'a Court composed of Persons regularly bred to the Profession of the Law would probably differ in their opinions from the present Expositors upon the time and place of payment of their Notes of hand.'

"It was expected that the third Reading would be carried also by the casting vote of the Speaker, but Richard Duncan came up from the far east, and on Monday, June 23rd, when Cartwright moved the six months' hoist the motion was negatived and the Bill passed six to two. The House of Assembly received the Bill on the same day by the hands of the Clerk of the Legislative Council. That House 'was with the greatest difficulty . . . . restrained from reading the Bill the first, second and third times on the day they received it. They returned it, however, on the second day with one amendment, by which they restored to the Terms the Names that have distinguished them for Centuries, but which the opposers of the Bill in their zeal for Innovation had been suffered to alter.'

"This Act, assented to July 9th, 1794, established a Court of Law by the name of His Majesty's Court of King's Bench for the Province of Upper Canada, a Court of original jurisdiction with all the powers incident by the law of England to a superior Court of civil and criminal jurisdiction and holding pleas in all manner of actions criminal and civil, real, personal and mixed, in as full a manner as His Majesty's Courts of King's Bench, Common Bench or in revenue matters, the Court of Exchequer in England. The Courts of Common Pleas were abolished. The Chief Justice of the Province and two *puisné* Justices formed the Court and it was to be holden in the place where the Lieutenant-Governor should usually reside; at that time at Newark."

The Act authorized the Governor to grant licences to not more than sixteen subjects whom he should consider fit persons to act as Advocates and Attorneys. These would be authorized to receive fees for their professional labours. The Governor's nominees were, David William Smith, Richard Barnes Tickell, Angus Macdonell, James Clark, Allan McLean, Timothy Thompson, Robert Isaac Dey Gray, Jacob Farrand, Nicholas Hagerman, William Dummer Powell, jr., Alex. Stewart, Davenport Phelps, William Birdseye Peters, Samuel Sherwood, and probably Bartholomew Crannell Beardsley and Christopher Robinson.

D. W. Smith was the former Lieutenant of the Fifth Foot, who married a pretty Irish girl, became Surveyor-General, and ultimately was a Baronet. Angus Macdonell was a practising solicitor and Clerk of the Legislative Assembly, James Clark was Clerk of the Legislative Council, successor to his brother Peter, killed in a duel. Robert I. D. Gray was the son of Major Gray of Cornwall.

Davenport Phelps came to Canada from Connecticut in 1792 and with James Wheelock received a large grant of land from Governor Simcoe. He settled at Niagara where he practised law and established a printing press; he was also interested in horticulture and fruit growing. He had long been acquainted with Joseph Brant and was popular with the Mohawks generally, who asked that he be ordained and sent to them as a missionary. The request was sent to Sir John Johnson, who communicated it to the Bishop of Quebec, but the proposal failed of completion. The Bishop was ready, but General Hunter demurred, saying that he had been informed

that Mr. Phelps had been at the head of a mob in the Province. The charge had been made in 1795 by the Attorney-General White, and in Brant's words was "replete with odium." Every effort to procure the ordination failed. Then Brant applied to the Episcopal Church of the United States, through General Chapin, an American Indian agent and Aaron Burr. Phelps was ordained Deacon in Trinity Church, New York, by Bishop Benjamin Moore on Dec. 13th, 1801. He immediately returned to Canada, and while living on his farm about three miles from Burlington Bay served as a missionary. In 1803 he was ordained priest, and was appointed to St. Peter's Church, Albany, removing his family from Niagara in 1805. He was a pioneer missionary in Western New York and died at Geneva.

During the fourth Session held between July 6th and August 10th, 1795, the First Parliament passed an Act to regulate the practice of Physic and Surgery, establishing an examining Board of Regimental surgeons and resident physicians. This was Chapter One. Chapter Two made a rule that no former American subject could be a candidate for the Assembly until he had been resident in Canada for seven years. The Preamble of the Act says: "Whereas many natural born subjects of His Majesty who have sworn allegiance to other states and powers and have been resident in the Dominions of the same, have been induced, or may hereafter be induced by the excellency and lenity of His Majesty's Government to become inhabitants of this province, and whereas it is inexpedient that such persons should be immediately admitted to all the privileges of British subjects, etc., etc."

Chapter Three was to validate an agreement made by commissioners of Upper and Lower Canada for the equitable division of duties collected by the Lower Province on imports. A portion of these imports were destined for consumption in the region west of Pointe au Baudet, and the Government of Upper Canada claimed a proportional part of the revenue. The appointment of commissioners for the purpose of making such an agreement had been authorized at the session of 1793. The convention made at Montreal under date of February 18th, 1795, declared in Article I that the Province of Lower Canada was made accountable to the Province of Upper Canada in full of all rights, claims and demands of Upper Canada, by reason of the duties levied upon wines in 1793 and 1794 under an Act of the Legislature of Lower Canada in 1793, in the sum of £333 4s. 2d. Article II declared that the Legislature of Upper Canada would not impose any duties whatever on any goods imported into Lower Canada, and passing into Upper Canada, but would allow and admit the Legislature of Lower Canada to levy such reasonable duties as it might deem expedient for the purpose of raising a public revenue. Article III provided that of such duties already imposed or to be imposed the Province of Upper Canada should be entitled to receive one-eighth. Article IV provided for an accounting to Upper Canada annually in the month of December, and Article V limited the continuance of the agreement until December

31st, 1796. The reason of this limitation is clear. The population and consuming-power of the Upper Province was rapidly increasing and a re-adjustment of the percentage of allocation would soon be necessary. This and amending conventions in following years were the subject of constant dispute. There were only two other Statutes enacted in 1795; Chapter Four amending the Superior Court Act of the previous year, and Chapter Five requiring the Public Registering of deeds, conveyances, wills, etc.

A contemporary account of Upper Canada in 1795, the appearance of the settlements and the views and aspirations of Lieut.-Governor Simcoe is found in the "Travels" by the Duc de la Rochefoucault Liancourt, whose ancestor in the time of Louis XIV. wrote the celebrated "Reflexions" and "Mémoires." The Duke, who was a Girondin, or a polite revolutionist, in France, found the temper of the Jacobins too unreasonable and too uncertain to trust and withdrew from a tempestuous country in order to travel philosophically. His book appeared in France after the Terror, and was printed in English translation at London by 1799. The Translator's Preface, signed by H. Neuman, contains the following acute sentences: "The Duke de la Rochefoucault Liancourt, a man who at all times has been distinguished as one of the most amiable, the most virtuous and the best informed of the French nobility, has made a journey for philosophical and commercial observation throughout a great part of North America, and has communicated the substance of his observations to the world in the valuable narrative which is here presented to the British public. Although a victim to the Revolution he still approves those principles of political reform upon which the first movements towards it were made. Though an outcast from France he still takes a warm, patriotic interest in the glory of the French nation. Hence he inclines at times to encourage the milder class of those political sentiments which the sagacity of Government finds it prudent to discourage in Britain, as little adapted to promote the general welfare. And whenever the views, the interests, and the public servants of the British Government come to be mentioned he usually speaks the language of a foreigner and a foe."

The tour of the Duke in Upper Canada began at Fort Erie on June 20th, 1795, in company with a Huguenot British subject named Guillemard, and a French Naval officer named Dupetitthouars—pungently described by Mrs. Simcoe in her Diary as "democratic and dirty." It ended at Kingston on July 22nd by an order of banishment directed against the Duke by Lord Dorchester, a document that moved the noble author to indignation. He was the guest of Col. Simcoe at Navy Hall for eighteen days. His comments upon things in general observed along the Niagara River are applicable to all Upper Canada and reveal a seeing eye, trained mind, and a striving towards accuracy which give the book great value. Whether or not he observed the decencies of social convention in reporting at great length all the opinions of Col. Simcoe, as expressed in the privacy of his home is open

to discussion. Probably no eminent Englishman of the period would have done so. Some years afterwards Hon. William Osgoode, in writing to Hon. Peter Russell said: "I have not heard lately from General Simcoe, but have reason to believe he was much mortified at not being employed in the late unfortunate expedition to the Continent. He has a benevolent heart without much discrimination. Have you read the Duke de Liancourt's Travels? They ought to teach him a lesson."

Some quotations from the book here follow. The risk of giving an occasional reader a twice-told tale is probably overcome by the advantage of supplying the information the Duke assembles in his own words. "Hard cash or specie is extremely scarce in this corner of the world. It can come only from Lower Canada, but they like to keep it in Quebec and Montreal. Nay, the paymaster of the troops, on pretence that the conveyance is dangerous sends no specie for the troops though he receives their pay in hard cash. He could most certainly not refuse it to the paymasters of the regiments, if for that purpose they proceeded to Montreal or Quebec where he resides. But to undertake this journey at the expense of the corps would occasion too considerable a deduction from their money which should reach its destination without the least diminution. He accordingly remits it in bills of exchange, which are paid in paper money, that any one makes, to any amount he chooses, and which nevertheless is universally received with a degree of confidence equal to that which obtained in France in the second year of the Revolution. There are notes of this kind of only two pence in value. They are small slips of paper, either written or printed, frequently without any signature and mostly effaced and torn."

It is probable that this statement was too general. Currency certainly was scarce and one of the first suggestions of Colonel Simcoe after his appointment as Lieut.-Governor was that copper coinage and sixpences, to the value of £500 of each sort should be put into circulation. Paper money in Canada had its beginnings in the French régime when playing cards torn into quarters and signed by the Intendant were current. General Murray estimated in 1760 that in the colony of 60,000 people the outstanding "card-money," treasury notes, and unpaid bills of exchange might amount to 80,000,000 livres — roughly, $16,000,000. Only a minor fraction of this "money" was ever redeemed.

The American States during the Revolution followed the example set by Canada and issued paper-money in cartloads. By 1780 this Continental currency was worth about 1 c. on the dollar. It is not surprising that the phrase "not worth a Continental" became singularly expressive, and indicated a certain distrust of paper money, which doubtless spread northwards. The first bank-note issued in Canada appeared on August 10th, 1792, signed by the Canada Banking Company, but it is probable that army-bills were considered more desirable; since they had Government backing. They were issued freely in 1812 and throughout the War.

At Kingston Captain Parr of the Sixtieth Regiment gave a dinner to which the French Duke and his friends were invited. The following quotation is of particular interest as throwing light on the social customs of the time:

"The ingenuity of the English in devising toasts, which are to be honoured with bumpers, is well-known. To decline joining in such a toast would be deemed uncivil; and although it might be more advisable to submit to this charge than to contract a sickness, yet such energy of character is seldom displayed on these occasions. Unwilling to oppose the general will, which becomes more imperious in proportion as heads grow warmer, you resort to slight deceptions in the quantity you drink, in hopes thus to avert the impending catastrophe. But this time, none of us, French or English, had carried the deception far enough, and I was concerned to feel, the remainder of the evening, that I had taken too lively a part in the event.

"From the readiness which Government displays in granting lands gratis, the Governor entertains not the least doubt of soon obtaining a numerous population. Many families who at the beginning of the American war embraced the royal cause have since the conclusion of the peace settled on lands which were bestowed upon them gratis. . . . . The Governor is sanguine in his hopes of procuring many colonists from the United States. He relies on the natural fondness of these people for emigrating and on their attachment to the English Government. He also reckons upon drawing numerous settlers from New Brunswick, who cannot endure the climate of that country. And lastly the considerable emigration from Europe which he fancies he foresees affords him certain hopes of obtaining thence a very numerous population. Yet by his account the prevailing sentiments of the people render the admission of new inhabitants who present themselves rather difficult; especially of those who come from the United States. For this reason he sends such colonists as cannot give a satisfactory account of themselves into the back country, and stations soldiers on the banks of the lakes which are in front of them. . . . . He proposes thus to form a militia attached to the King from habit and gratitude; and this he considers as one of the most certain means for suppressing the disturbances which might be excited by some disaffected new settlers who inhabit the midland counties. But for his inveterate hatred against the United States which he too loudly professes, and which carries him too far, Governor Simcoe appears in the most advantageous light. He is just, active, enlightened, brave, frank, and possesses the confidence of the country, of the troops, and of all those who join him in the administration of public affairs. To these he attends with the closest application; he preserves all the old friends of the King and neglects no means to procure him new ones. He unites, in my judgment, all the qualities which his station requires, to maintain the important possession of Canada, if it be possible that England can long retain it.

"In his private life Governor Simcoe is simple, plain and obliging. He inhabits a miserable wooden house which formerly was occupied by the commissaries who resided here (at Newark) on account of the navigation of the Lake. His guard consists of four soldiers who every morning come from the fort, and return thither in the evening. He lives in a noble and hospitable manner, without pride; his mind is enlightened; his character, mild and obliging; he discourses with much good sense on all subjects, but his favorite topics are his projects and war, which seem to be the objects of his leading passions. He is acquainted with the military history of all countries; no hillock catches his eye without exciting in his mind the idea of a fort, which might

be constructed on the spot; and with the construction of this fort he associates the plan of operations for a campaign, especially of that which is to lead him to Philadelphia. . . . Mrs. Simcoe is a lady of thirty-six years of age. She is timid and speaks little; but she is a woman of sense, handsome and amiable, and fulfils all the duties of the mother and wife with the most scrupulous exactness. The performance of the latter she carries so far as to be of great assistance to her husband by her talents for drawing, the practice of which, confined to maps and plans, enables her to be extremely useful to the Governor.

"Regarding the frequency and punishment of crimes Mr. White, Attorney-General of the Province, informed me that there is no district in which one or two persons have not already been tried for murder; that they were all acquitted by the jury, though the evidence was strongly against them . . . . that the major part of lawsuits have for their object the recovery of debts; but sometimes originate also from quarrels and assaults; drunkenness being a very common vice in this country. The regiments quartered in the vicinity of the United States, it is asserted, lose much by desertion. Seeing everywhere around them lands either given away or sold at a very low rate, and being surrounded by people who within a twelvemonth have risen from poverty to prosperity, and are now married and proprietors, they cannot endure the idea of a servitude which is to end only with their existence. The ennui naturally arising from the dull and secluded manner of living in garrisons, where they find neither work nor amusement, and the slight attention shown them by most of the colonels darken still more, in their view, the dismal picture of their situation. They emigrate accordingly into the United States where they are sure to find a settlement, which, if they choose, cannot fail to make them rich and independent. To hold out to them the same hopes in the English colony of Canada would be the only means of rendering less dangerous the temptation offered by the United States. It is with this view that Governor Simcoe very wisely formed the project of dismissing every soldier who should find an able substitute in his room, and to give him one hundred acres of land; but it is said that this project appears, in Lord Dorchester's judgment, to savour too much of the new principles to obtain his consent.

"The natural order of things at this moment, and the universal disposition of nations, announce the separation of Canada from Great Britain as an event which cannot fail to take place. I know nothing that can prevent it. By great prosperity and glory, by signal successes in her wars, and by undisturbed tranquillity at home. Great Britain may be able to maintain her power over this country, as long as considerable sums shall be expended to promote its population and prosperity; as long as it shall enjoy the most complete exemption from all the taxes and burthens of the mother country; in fine, as long as a mild government, by resources prompt and well-applied, by useful public establishments not yet existing, and by encouragements held out to all classes and descriptions of citizens, shall convince a people already invited and qualified by a wise constitution to enjoy all the blessings of liberty and the advantages of a monarchical government, which in its benevolent projects unites wisdom of conception with rapidity of execution. But these conditions will hardly be fulfilled. In our time, and perhaps soon, Great Britain will lose this bright jewel of her crown.

"Forty-mile Creek was one of the chief objects of our tour. This stream which intersects in a straight line the range of mountains, extending from Queen's Town, flows, with a gentle fall into the plain; and affords some wild, awful, yet very pleasing prospects among the mountains. Before it empties itself into the lake it turns a grist-mill, and two saw-mills which belong to a



KINGSTON

From the painting by W. H. Bartlett, engraved by J. C. Bentley

Mr. Green, a loyalist of Jersey, who six or seven years ago settled in this part of Upper Canada (Grimsby). This Mr. Green was the constant companion of the Governor on this little journey; he is apparently a worthy man, and in point of knowledge far superior to the common cast of settlers in this neighbourhood. His estate consists of three hundred acres, about forty of which are cleared of wood. . . . Mr. Green who has a very numerous family intends to bring up all his sons to farming and to build for each of them a mill either on this or on a neighbouring creek. He grinds the corn for all the military posts in Upper Canada. The road from Forty-mile Creek to the extremity of the lake which we travelled is one of the worst we have hitherto seen in America. But for our finding now and then some trunks of trees in the swampy places we should not have been able to disengage ourselves from the morass. Along the road, which is fifteen miles in length, the soil is good; but we scarcely saw four plantations on the bank of the lake. At the very extremity of it and on the most fruitful soil there are but two settlements."

Concerning Kingston the Duke was warm in his praise of its situation, but considered that as a town it was inferior to Newark. About 120 or 130 houses were found there. Many were of logs, and those of other type were badly constructed and badly painted.

The astonishing thing about this French visitor and observer was not that he was deported from Kingston, but that he was permitted to cross the Niagara River. In 1794 the Government at Quebec had been so plagued by the presence of French agents in the country that Lord Dorchester issued orders excluding all foreigners from Lower Canada. One of the national Parties in the United States was pro-French and with this moral support the successive ambassadors of the Revolution had used their position to encourage attempts against Canada, and to send spies and propagandists across the border. In 1797 one David McLane was executed at Quebec for high treason, it being proved that he was a French agent.

La Rochefoucault had become acquainted in Philadelphia with George Hammond, the British Minister to the United States, and was encouraged by him to visit Canada. Indeed Hammond provided him with letters to Simcoe and Dorchester and assured him that he would not be incommoded. The Duke was not in the same class as the *émigrés* who were found in the ranks of all the Allies in plain battle against French Republicanism. He was a Girondin and had participated in the Revolution to a certain point, moreover he frankly avowed in his book his sympathy for France as against England. Possibly Hammond did not discriminate with nicety. Four years later the British captured a spy who numbered La Rochefoucault among his correspondents, and who had been under secret observation for two years before the Duke's arrival. There is reason for the suspicion that Lord Dorchester's information was more exact than that of the British Minister. It is interesting also to note that at the Battle of the Nile the "dirty and democratic" Dupetitthouars, the Duke's travelling companion in Canada, was in command of the *Tonnant,* an eighty-gun battleship, which was second in the line to the flagship *L'Orient,* and was dismasted in the action. The captain was killed.

The fifth Session (*) of the first Parliament met at Newark on May 16th, 1796, and continued only until June 3rd. The most important legislation passed had to do with the regulation of the currency and the valuation of the motley collection of gold and silver coins circulating in the Province. It was enacted that the British guinea, weighing 5 dwt., 6 gr. Troy, should be valued at £1 3s. 4d.; the Portuguese Johannes (18 dwt.) at £4; the Portuguese moidore (6 dwt., 18 gr.) at £1 10s.; the Spanish milled doubloon (17 dwt.) £3 14s.; the French louis d'or (minted before 1793) and weighing 5 dwt., 4 gr., at £1 2s. 6d.; the French pistole (before 1793) weighing 4 dwt., 4 gr. at 18s.; the American eagle (11 dwt., 6 gr.) at £2 10s. Of silver coins the British crown was to be worth 5s. 6d.; the shilling, 1s. 1d.; the Spanish milled dollar, 5s. (equal to 4s. 6d. Sterling); the Spanish pistareen, 1s.; the French crown (before 1793) 5s. 6d.; the French piece of 4 livres, 10 sols, Tournois, 4s. 2d.; of 36 sols Tournois, 1s. 2d.; of 24 sols Tournois, 1s. 1d.; the American dollar, 5s. Counterfeiting, or uttering counterfeit money, was declared a felony punishable with death.

Chapter Two provided that a panel of jurors for the trial of issues at the assizes should be transmitted by the District Sheriffs at stated times to the Court of King's Bench. Chapter Three amended the Act respecting application for liquor licenses. A man might apply at any time to the Magistrates assembled in Quarter Sessions. If it appeared to them desirable to increase the number of inns or public houses, and if the person applying were "a sober and honest man" the license should issue. In consequence of the Treaty of Amity and Commerce the "western posts" were handed over to the United States in 1796. Chapter Four of the Statutes in that year provided that the Quarter Sessions of the Peace which formerly had been held at Detroit should be held in the parish of Assumption "as it seems not to be any longer expedient to hold the said Court in the town of Detroit aforesaid." Chapter Five repealed the legislation granting a bounty on wolves and bears. Chapter Six provided for the appointment of Commissioners to confer again with Lower Canada on the question of import duties, and Chapter Seven elaborated and explained the existing legislation for laying assessments and providing for the payment of "wages" to Members of the Assembly.

A review of the work of the First Parliament of Upper Canada, given hitherto in detail, shows that it was by no means inconsiderable. The whole administration of Justice had been reorganized on the English model, Slavery had been denounced and forbidden, a measure of municipal self-government had been granted, many marriages had been validated in law, provision had been made for highway maintenance, the inhabitants were organized in a Militia, a financial *modus vivendi* had been arranged between the two Provinces, currency had been stabilized, millers' tolls had been fixed and the

*Sessions of the First Parliament of Upper Canada: Sept. 17th to October 15th, 1792; May 31st to July 9th, 1793; June 2nd to July 9th, 1794; July 6th to August 10th, 1795; May 16th to June 3rd, 1796. These five Sessions were held at Newark.

public had been protected against quack physicians. The business had been done speedily and without the precious aid of an official Opposition.

The official class of the population during Governor Simcoe's time consisted mainly of former military officers. It was a period of exalted courtesy and elaborate etiquette among the leaders of English society. Since the officer had a guaranteed social status, and since to be out of the fashion was to be an exile, the manners of the drawing room, even at Niagara, Kingston, and York were probably as stately as need be. It is said that Captain Cowan of the Navy, and Staff Surgeon Fleming, of the Army, were the politest men in the Colony. On one occasion they met while crossing the old Chippewa Bridge. Each proceeded to the middle of the bridge, walking slowly, and pausing every few steps to bow. They then shook hands in the approved manner and parted with great cordiality. It is unlikely that the higher officials went to such lengths of courtesy. They had more important business.

There was Lieut.-Col. Thomas Talbot, private secretary and confidential aide, an important member of Governor Simcoe's household. He was an ensign in the 66th Foot at the age of eleven, another proof that the Irish begin fighting early. From 1784 to 1787 he and a young man of great promise named Arthur Wellesley, were military aides of the Marquess of Buckingham, Lord Lieutenant of Ireland. In 1790 Talbot joined the 24th Regiment at Quebec and was named a year later to accompany Governor Simcoe to Upper Canada. He remained at Niagara and York until 1794. By 1796 he was O. C. of the 5th Foot, and in 1799 commanded the Second Battalion of that Regiment in Holland. Retiring from the Army in 1801 he returned to Canada, received a large area of Crown land in lieu of his pension and interested himself in colonization. He established the Talbot settlement on Lake Erie, brought settlers from Ireland and built one of the most notable roads in the Province, while his friend Wellesley was storming through India and the Peninsula to the Dukedom of Wellington.

There was William Osgoode, an Oxford Master of Arts and a Barrister of Lincoln's Inn at the age of twenty-three. There was Peter Russell, the courtly bachelor. Consider also Æneas Shaw, the very model of a Georgian officer, Lieut. D. W. Smith, "married to a beautiful Irish woman," William Jarvis, civil Secretary, a determined loyalist considering Stamford, Connecticut, merely as the pit whence he was digged. There was Robert Pilkington, an Engineer officer and an amateur artist of much ability. There was Lieut.-Col. Joseph Bouchette, the writer on Upper Canadian topography. There was Robert Hamilton, the rich merchant of Queenston, and his many sons. There was Dr. Macaulay, an army surgeon whose first wife, Elizabeth Tuck Hayter, had "an air," and judging by her portrait must have graced any assembly. All these and more were in the first flight of society, drank tea with Mrs. Simcoe and helped to make up her parties.

The soldier settlers were good and bad. Those with ambition to solve the secrets of wilderness life found wives from among their neighbours and fought their way through. The more careless type devoted himself and his freedom to riotous days and nights, for it was a hard-drinking age. As for other settlers, the Court group hardly knew what to think of them. Governor Simcoe in one of his despatches had spoken with uneasiness of the election to the Legislative Assembly of men who ate at a common table with their servants, a fault akin to the unpardonable offence among members of the "nobility and gentry."

The pioneers, inured to wilderness life, first in the States and then in Canada, drew no artificial distinctions. Jack was as good as his master—if Jack could fell a tree as well, if he had strength of arm and willingness to work. It was a matter of course for the hired man to lose his heart to the daughter of the house, brave in her deerskin petticoat and her broad-brimmed sunbonnet, for she was a worker too. It was a matter of course for the young couple, married by a Justice of the Peace according to law (but not according to social custom in England) to take up land of their own, build their own ingle, and found a family as good as the best. Physical strength was a necessity to clear underbrush, chop hardwood and pine, grub out stumps, reap the wheat with sickles and thresh it with a flail. But physical strength alone was not sufficient. The pioneers had need of patience, contentment and a whole galaxy of spiritual virtues which made them notable in their generation. They may have been lacking in the knowledge that comes from books, but in the solitudes they learned to think as well as to strive. So also the women toiled and endured; washing, cooking, spinning, weaving, patching, quilting, making soap, making clothes, and serving the needs of a succession of babies. We who regard with affection the noble landscapes of this Ontario, the rolling fields, the clumps of bush, the gentle streams, the orchards embowered in bloom, think too seldom of the broad-shouldered men and the broad-hipped women who commanded the wilderness to blossom, who reaped a forest and made a garden in its place.

They were simple folk "mostly dissenters" as Bishop Mountain testified. Came the saddle-bag preachers, mainly Methodists, with the simple gospel of right living, shorn of the trimmings of ritual which a more cultivated society desires. Came the lonely schoolteacher, perhaps with a volume of *The Spectator* or *Rasselas* as a complete library. Came the wandering Indians, always friendly, with instructions for the making of maple sugar, or for the gathering of healing herbs. Came the pedlar with a pack full of baubles and a head full of gossip. Save for these came none. Each settlement was self-contained in work and play. And yet each settlement had a lively loyalty to the King and a keen interest in the King's business. There were some republicans, some agitators, but the majority of the people were of a Tory strain and had family traditions of hard experiences amongst the devotees of the New Freedom.

It was not the fate of Lieut.-Governor Simcoe to see more than the beginnings of the Province he founded. The instructions given by the King's Commission to Lord Dorchester as Governor of Canada, and to Simcoe as Lieutenant-Governor of Upper Canada were never sufficiently clear. Dorchester was given every power; to assent to laws passed by the Legislatures of both Provinces, to establish electoral divisions and proclaim elections; to appoint judges, magistrates, officers and ministers; to command the militia. But in case of the Governor's death or absence from the Province of Upper Canada the inhabitants were commanded to be obedient to the Lieutenant-Governor "to whom we do therefore by these presents in case of your death or absence from the Province give and grant, all and singular, the powers and authorities herein granted to be by him executed and enjoyed during our pleasure, or until your arrival within the Province."

Lord Dorchester assumed that Lieut.-Col. Simcoe was his subordinate in all things. Simcoe, recognizing the fact that while Dorchester was in Quebec he was certainly absent from the Province of Upper Canada, had the impression that the Lieutenant-Governor was supreme within the borders of the Province, and that he was under orders only in his military capacity. Even in this sphere of action he thought that his judgment on conditions in the Province and on the military needs of the moment were worthy at least of consideration. His recommendations concerning the establishment of fortified posts in Upper Canada were ignored, mainly because Lord Dorchester's policy was to concentrate his forces for the defence of Lower Canada which he considered, naturally enough, as the heart of the country.

Dissensions between the two officials grew sharper and more frequent. Each complained to the Home Government that the other was seeking to restrict his just authority, and finally there was an open quarrel. It is altogether probable that the British Government was not sufficiently sure on the merits of the dispute to make a ruling that would retain these two good men in office. The letters of the Minister were still indefinite, even when one "prancing pro-consul" (*) complained of the administration of the other.

Finally Dorchester applied for leave of absence on account of old age, and Simcoe, on account of ill-health. These were diplomatic reasons, since both men were employed elsewhere. Simcoe left Upper Canada on July 9th, 1796. His final Message to the First Parliament on the eve of its dissolution referred to the troublous nature of the times in these terms: "—— during a period of awful and stupendous events which still agitate the greater part of mankind and which have threatened to involve all that is valuable in Court society in one promiscuous ruin." Simcoe could turn a period and swing a paddle. He could write a poem and build a fort. He could entertain at his home convinced republicans, and organize a whole Province against Republicanism. He could fight his way to a colonelcy in a fighting age, dance a minuet, and play an excellent hand at whist, but he could not depart from

*The alliterative epithet is applied to Dorchester and Simcoe by Mr. Avern Pardoe.

his standard of probity and duty. He was never a Commoner in thought or action. He was as much an aristocrat as the proudest Duke in England. To us in these days there is something mournfully comic in his attempt to transfer to the forest all the trappings of an English Government, to create an hereditary aristocracy, to found an Established Church. But it must be remembered that he lived in constant expectation of a renewal of the war with the United States. Republicanism meant for him all that was reprehensible and wicked. It was his duty to build a breakwater in Upper Canada against the seas of wrath surging in Philadelphia and Paris. It was no time-server who made a personal exploration of the Province from Detroit to Penetanguishene. It was a great gentleman who hospitably entertained representatives of the Government he most despised. On the other hand it was a pipe-clayed soldier who had the regimental band playing before Navy Hall during dinner "the Marquess of Buckingham having very kindly provided the instruments."

Nor did his interest in the Colony cease with his departure. He wrote to the King on March 26th, 1798, urging him to watch over Upper Canada. "It will be," he believed, "with proper and honourable support the most valuable possession out of the British Isles, in population, commerce and principles of the British Empire."

## CHAPTER IV.

### THE ERA OF UNCERTAINTY.

Isaac Weld visited Upper Canada in 1796 and described it in his book of Travels. He gave some interesting facts concerning navigation: "Belonging to His Majesty," he wrote, "there were on Lake Ontario when we crossed it three vessels of about 200 tons each, carrying from eight to twelve guns, besides several gunboats; the last, however, were not in commission, but were laid up in the Niagara River; and in consequence of the Treaty of Amity and Commerce between the United States and His Britannic Majesty orders were issued shortly after we left Kingston for laying up the other vessels of war, one alone excepted. Subsequent orders it was said were issued during the summer of 1797 to have one or more of these vessels put again into commission. The naval officers of these vessels, if they be not otherwise engaged, are allowed to carry a cargo of merchandise when they sail from one port to another, the freight of which is their perquisite. They likewise have the liberty, and are constantly in the practice, of carrying passengers across the lake at an established price."

The fare from Niagara to Kingston was two guineas, which Mr. Weld thought very reasonable. He believed that the freight rate of thirty-six shillings a ton unnecessarily dear until he learned that the ships were not too well built, that Atlantic seamen were required to navigate them safely and that the season was short. The uniform of the naval officers was of blue and white, with large yellow buttons stamped with the figure of a beaver over which was inscribed the word Canada. In addition to the King's ships there were on Lake Ontario several decked merchant vessels, schooners and sloops of from fifty to two hundred tons, and also many large batteaux. At that period the Americans had no vessels on Lake Ontario other than batteaux. That condition was soon mended, for La Rochefoucault Liancourt about the same time was taken from Kingston to Oswego on an American ship. Concerning the transfer of the Capital from Newark to York Mr. Weld said: "To remove the seat of Government to a place little better than a wilderness would be a measure fraught with numberless inconveniences to the public and productive apparently of no essential advantages whatever." At this time Newark had about seventy houses.

After visiting Niagara Falls the writer went by way of Lake Erie to Detroit and was impressed with the advanced state of the settlement. He was the guest for some days of "Captain E——" at Malden (now Amherstburg) who undoubtedly was Captain Elliott, one of the nine first settlers who secured their lands from the Indians. "The farm," wrote Mr. Weld, "contains not less than 2,000 acres. A very large part of it is cleared and it is cultivated in a style which would not be thought meanly of even in Eng-

land. His house which is the best in the whole district is agreeably situated at a distance of about 200 yards from the River. . . . In front of the house there is a neat little lawn paled in and ornamented with clumps of trees. The country abounds with peach, apple and cherry orchards."

The general state of the settlements at the time of Governor Simcoe's departure is best understood by a study of a map prepared by D. W. Smith, Lieutenant of the Fifth Foot, Member of Parliament, and then Surveyor-General of the Province. Practically all the region between the St. Lawrence and the Ottawa Rivers was surveyed and divided into townships. Along Lake Ontario all the front townships were surveyed and named as far as York, but the only ones back from the Lake were Loughborough, Portland, Camden East, Hungerford, Rawdon, Seymour, Percy, Markham, Whitchurch, King and Vaughan. From Etobicoke River to Burlington Bay was a Mississauga Indian reserve. Then came Flamborough, Beverly, Ancaster, Glanford, Binbrooke, Caistor, Gainsborough, and Pelham. The front townships along the south shore of the Lake and up the Niagara River were all surveyed and named; likewise those along the Lake Erie shore from end to end—save for the Mohawk Reserve at the mouth of the Grand River. On the Thames, Chatham and Camden were laid out, but there was no sign of a settlement between Walpole Island and Lake Huron. London Township was the northernmost limit of organized territory. The others laid out were Delaware, Westminster, Dorchester, Dereham, Norwich, Middleton, Windham, Burford, Oxford, Blandford and Blenheim. The trend of settlement had been from four centres; Kingston, Niagara, Toronto and Detroit, and had depended on the convenience of water-transportation.

In November, 1797, Alexander Aitkin, the surveyor, laid out at Presqu'isle on the shore of Northumberland County a town-site to be called Newcastle. Room was left for a church in the middle, for a school on the northeast, for a parsonage, hospital, burying-ground and church glebe, and provision was made for about eighty building-lots. The settlement grew slowly. In 1802 the Parliament of Upper Canada passed an act to provide for the administration of justice in the District of Newcastle, which was composed of the present counties of Northumberland and Durham. This legislation provided for the erection of a jail and court house, but action was delayed. In 1804 the suitability of the settlement for a *chef lieu* became questionable, particularly as it was found inconvenient by the inhabitants it was supposed to serve. Therefore in 1805 the act of 1802 was amended. "Whereas," declared the preamble, "the place for building a gaol and court house in the district of Newcastle is inconvenient for the inhabitants of the said district, the Justices of the Peace are authorized to appoint some fit and proper place in either the Townships of Haldimand or Hamilton." The plot selected was in the Township of Hamilton, and the settlement was called Amherst. The town of Cobourg grew up around it. The Newcastle mentioned above must not be confused with the village of the same name in Durham County, Township of Clarke.



THE HON. AND RIGHT REV. JOHN STRACHAN, D.D.
Bishop of Toronto

In 1799 a young Scot arrived in Kingston and became the tutor of Richard Cartwright's children. His name was John Strachan and he was a man of some importance in the history of Upper Canada. On March 31st, 1801, he wrote to a friend in Glasgow: "Our Provincial politics are hardly worth notice. The little Parliament however do not seem unanimous. The servants of the Crown have used their opponents too imperiously, stigmatizing them with an opprobrious name. Nor do they agree among themselves. At Kingston we are free from these little cabals." To the same friend he wrote in 1802: "There is a probability of a church becoming vacant by the time my engagement expires, with about £200 currency, or £180 Sterling. If that happens I shall accept of it. If not, I shall first go to the Lower Province to learn to speak French. From Lower Canada I shall go to the States, where if I do not think I can easily succeed, it is probable that I shall re-cross the Atlantic and try my fortune in Britain."

The church became vacant. Mr. Strachan was appointed rector by Lieut.-Governor Hunter and in 1803, October 27th, he wrote from Cornwall: "I have taken Orders. My parish lies between Montreal and Kingston on the banks of the St. Lawrence, about 120 miles nearer you (in Scotland) than I was before, which we only think a stage in this country. A great part of my parish belongs to the Lutheran persuasion. A greater has no religion at all. A number of the people are Catholics and (there are) plenty of Presbyterians, with a few Methodists, etc. You see I am in a pickle." In the same year, 1803, Mr. Strachan opened a school for boys and soon it had a high reputation throughout the Province. Among the pupils who rose in after time to positions of dignity and honour were John Beverley Robinson. R. C. Anderson, George Ridout, J. G. Chewett, Samuel Peters Jarvis, J. B. Macaulay, Thos. C. Ridout, Robt. Stanton, W. Macaulay, G. H. Markland. In the Toronto Public Library may be found a rare book bearing this title "A Concise Introduction to Practical Arithmetic, for the use of Schools. By the Rev. John Strachan, Rector of Cornwall, Upper Canada. Montreal, Printed by Nahum Mower, 1809."

A few quotations from the Preface will show better than mere third-hand description the keen intelligence and the resolute character of a pioneer Educator of Upper Canada:

"On my arrival at Kingston about ten years ago to superintend the education of a select number of pupils, I experienced much inconvenience from the want of school-books. To supply this defect I was under the necessity of compiling several treatises on different subjects, and among the rest, the following on Arithmetic, which I am now induced to publish for the greater convenience of my school. . . . It should however be laid down as a principle that no Boy can do anything right the first time, but that he must learn by the help of his teacher so as to be able to do it himself ever after. . . . . Before concluding this address, I beg leave to notice my method of teaching Arithmetic, as it may be of use to those teachers who have not yet acquired much experience. In a new country like this a variety of branches must be taught in every respectable school. Young men coming from a distance at a very con-

siderable expense are anxious to get forward as fast as possible, and even those destined for the learned professions are seldom allowed the time requisite for acquiring the knowledge previously necessary. These considerations induced me to turn my thoughts to the Discovery of some sure and at the same time expeditious method of teaching Arithmetic. This object I have accomplished with a much greater degree of success than I dared to promise myself. . . . Each class have one or more sums to produce every day neatly wrought upon their slates. The work is carefully examined, after which I command every figure to be blotted out and the sums to be wrought under my eye. The one whom I happen to pitch upon first gives, with an audible voice, the rules and reasons for every step, and as he proceeds the rest silently work along with him, figure for figure, but ready to correct him if he blunder that they may get his place. As soon as this one is finished, the work is again blotted out and another called upon to work the question aloud as before, while the rest again proceed along with him in silence, and so on round the whole class. By this method the principles are fixed in the mind, and he must be a very dull boy indeed who does not understand every question thoroughly before he leave it. This method of teaching Arithmetic possesses the important advantage that it may be pursued without interrupting the Pupil's progress in any other useful study. The same method of teaching Algebra has been used with equal success. Such a plan is certainly very laborious but it will be found successful, and he that is anxious to spare labour ought not to be a Public teacher. . . . I need not detain the Reader praising the subject which I have been treating, for who is ignorant of the great advantages resulting from its cultivation? Who does not know that it is the Key to all the treasures of Mathematics, Natural Philosophy and Astronomy, that a thorough knowledge of it is essential to the man of business, highly requisite to the Scholar and ornamental to the Gentleman?"

A study of the problems provided shows how careful the teacher was to keep the minds of his pupils fixed upon Great Britain. Neither directly nor indirectly is the United States mentioned. Bills of Exchange are upon London, Halifax, Jamaica, Paris, the East Indies. Problems are given concerning the price of potash, the sale of masts to the Royal Navy, the making up of a British regiment's pay, or of a privateer-crew's shares of prize money. Here is an exercise in Addition: "England contains 8,331,434 inhabitants, Wales, 541,546, Scotland, 1,599,068, the Army, including the militia, 198,351, seamen in the Navy, 126,279, seamen in registered ships, 144,558, convicts, 1,410; Ireland contains 4,387,354. Required, the population of the British Empire."

Another exercise reveals a calm acceptance of Archbishop Usher's Bible Chronology, as if it were irrefutable Dogma instead of airy speculation from imperfect premises. The question states the number of years from the Creation to Noah, from Noah to the Call of Abraham, from the Call of Abraham to Moses, etc., etc., and ends with the very considerable demand, "Required; the age of the world." Here is another question; brief, pungent, and illustrative of the social customs of the time: "I bought 48 gallons of Gin for £15. What was that per gallon? *Ans.* 6s. 8d."

If this text-book on Arithmetic were the only surviving evidence concerning the character and mental habits of the author, one could picture the

Cornwall school-master, and the future Bishop of Toronto with no inconsiderable accuracy—a man resolutely Tory, a believer in discipline and thoroughness, a dominant, intense man, doing the day's work with all his might, and a lover of learning for its own sake.

Dr. Strachan's own statement of the reasons for his coming to Canada is quoted by Morgan; (*) "Among the many schemes contemplated by General Simcoe for the benefit of the Province was that of establishing grammar schools in every district, and a university at their head, at the seat of government. Anxious to complete as soon as possible so beneficial an object, the Governor gave authority to the Hon. Richard Cartwright and the Hon. Robert Hamilton to procure a gentleman from Scotland to organize and take charge of such college or university. These gentlemen whose memories are still dear to the Province, applied to their friends in St. Andrew's who offered the appointment first to Mr. Duncan, then to Mr. Chalmers, neither of whom was yet much known, but both declined. I was induced after some hesitation to accept the appointment. I sailed from Greenock towards the end of August, 1799, under convoy, but such was the wretched state of navigation that I did not reach Kingston by way of New York and Montreal till the last day of the year 1799 much fatigued in body and not a little disappointed at the desolate appearance of the country, being throughout, one sheet of snow. But a new and still more severe trial awaited me. I was informed that Governor Simcoe had sometime before returned to England,—and the intention of establishing the projected university had been postponed. Had I possessed the means I would instantly have returned to Scotland. Mr. Cartwright came to my assistance and after a short space of time proposed a temporary remedy. 'Take charge,' said he, 'of my four sons, and a select number of pupils during three years; this will provide you with honourable employment and a fair remuneration, and if at the end of that time the country does not present a reasonable prospect of advancement you might return to Scotland with credit.' He further added that he did not think the plan of the grammar schools and university altogether desperate, although it might take longer time to establish them than might be convenient or agreeable. In my position there was no alternative but to acquiesce and I was soon enabled to return to a healthy cheerfulness and to meet my difficulties with fortitude and resignation. At Rev. Dr. Stuart's suggestion I devoted all my leisure time during the three years of my engagement with Mr. Cartwright to the study of divinity, with a view of entering the Church at its expiration. Accordingly on the 2nd day of May, 1803, I was ordained deacon by the Rt.-Rev. Dr Mountain, the first Protestant Bishop of Quebec, and on the 3rd day of June, 1804, I was admitted by the same prelate into the holy order of priests, and was appointed to the mission of Cornwall."

On the departure of Lieut.-Col. Simcoe, Hon. Peter Russell had become Administrator of the Government and President of the Council, an office

*Sketches of Celebrated Canadians, 1865.

which brought him no direct emolument and much additional responsibility. He still retained his position as Receiver-General and his accounts showed no such peculiarities as those of the Province of Lower Canada about the same period. His task was to carry out the plans initiated by Governor Simcoe, to maintain harmonious relations with the Council and the Assembly, to guard against French spies getting a footing in the country, and to obey the instructions of the Home Government when they were reasonable. Successive writers have hinted that Russell was a rapacious land-grabber and made use of his position to enrich himself. An apparent basis for that hard judgment is found in the fact that during 1803 he offered for sale all his landed estate, situated in various parts of the Province and amounting to 9,200 acres. As compared with the total holdings of the Shaws and others this acreage was not large. In view of the fact that the Government granted 13,400 acres to Benedict Arnold who was intensely unpopular among the loyalists, perhaps the condemnation of Russell has not been wholly warranted.

It is certain that he did his best to improve such lands as he received. His house at York was among the best as it was one of the first and the cost of fulfilling the settlement duties on his various farms must have been considerable. Every holder of the King's bounty in land was under obligation to clear five acres, build a house and aid in the construction of roads. There seems to be reason in the complaint which Russell made frequently to intimate correspondents that he had invested more than he could afford and saw no prospect of being recouped for his outlay, since the price of land continued low. (*) The Government in 1799 declined an offer of the Mississaugas to sell the present Peel and Halton Counties at an approximate price of 25c. an acre, which was said to be too high. There was more land than people to occupy it. Lieut.-Governor Hunter said that Russell and the Council would have granted land to the Devil and all his family (being loyalists) if they had had the fees, but that statement proves rather the pungent temper of Hunter than the carelessness of Peter Russell. Whatever errors arose in following out the colonization policy of Governor Simcoe were due first to looseness in surveying and secondly to the fact that some of the grantees had no taste for the work of a settler and sold out for a few shillings, a bottle of rum, or some other trifling consideration. Russell was a man of high character and ability. He was methodical and careful. His work as military secretary to Sir Henry Clinton during the American Revolution was sufficiently good to make Clinton his steady friend and patron at Court. He won the confidence of Governor Simcoe and of that clear-seeing young man, Hon. William Osgoode, who in 1796 was named as Chief Justice of Lower Canada.

*In a letter to a young scapegrace who wanted to sell his lands at a low rate, Hon. Mr. Russell said on June 11th, 1808: "Having a great deal of land in this Province which I am very desirous of selling, and not being able to procure a purchaser for any part of it, I am the last man who would be inclined to add to my stock. Circumstanced as I am at present I really am not able to part with the smallest sum without inconvenience."—Russell Papers, Provincial Archives.



Parliament Buildings, Front Street, as they appeared when first erected in 1832.

OLD PARLIAMENT BUILDINGS



PROVINCIAL PARLIAMENT BUILDINGS, QUEEN'S PARK

Osgoode's successor in Upper Canada was John Elmsley, who arrived from England in 1796 just as Simcoe was leaving. He came first to Newark and was among those who were vigorously opposed to the transfer of the capital. He wrote to President Russell on February 2nd, 1797, urging the suspension of the order for the removal of the Courts to York. The place, he said, was forty miles beyond the most remote settlement, at the head of the Lake. There was neither jail nor court house, no accommodation for grand or petit juries, none for suitors, witnesses or the Bar, and very indifferent for the Judges. Those attending Court had to remain in the open air or to be crowded in tents and huts. Many of the jurors would be compelled to travel sixty or eighty miles and to be absent from home at least ten days. Those who refused to come could pay the fine imposed more easily than the expense of the journey. The Chief Justice did not think that a jury could be secured at York. Even this complaint which had a measure of sympathy from Russell did not prevent the transfer. York became the Capital, despite its isolation and the meagre accommodation it afforded for visitors.

The work of providing accommodation for Parliament and the public offices was not fully completed by the end of 1796 as a letter from Hon. Peter Russell testified: "As the Legislature is to meet at York on the first of June, it becomes absolutely necessary that provision shall be made for their reception without loss of time. You will therefore be pleased to apprize the inhabitants of the town that twenty-five gentlemen will want lodgings and board during the Sessions, which may possibly induce them to fix up their houses and lay in provisions to accommodate them. The two detached houses belonging to the Government House must at any rate be got ready—the one for the Legislative Council, the other for the Assembly. I beg likewise that you desire Mr. Graham to examine the two canvas houses and report the practicability of removing the best of them to the town, to be raised there for giving dinners in to the Members of the two Houses."

The Parliament Buildings were two brick halls, each forty feet long and twenty-five feet wide. The intention was to erect a central building in the space of one hundred feet between them, but finally the halls were connected by a modest covered way. The buildings stood on the Bay shore at the southern end of the present Berkeley Street, then known as Parliament Street. The site is occupied now by the Consumers' Gas Company.

Throughout the United States and particularly in Vermont settlement had been facilitated by the grant of townships to individuals. Each of these undertook to find immigrants enough to occupy the township and gave a bond to guarantee specific performance of the agreement. The "padrone" made his profit in various ways: his own land grant was likely to be large and its value rose as the land about it was cleared and planted. Besides there must have been frequent occasions for profit in supplying the needs of the colonists. The proclamation of Governor Simcoe offering land in

Upper Canada awoke the interest of colonizing agents both in the United States and in Great Britain. Leaders arose on all sides, ready to conduct parties of settlers to the promised land. All that they needed was a few townships each. On March 18th, 1793, Andrew Pierce, Samuel Jarvis and others undertook to settle within four years fifty families in each of three townships on the north shore of Lake Ontario, and gave bonds of £18,000 Sterling. Before any active preparation was made by this group, their interest was bought by William Berczy, a German who was in partnership with Conrad Braner, a former officer of the Hessian or Hanoverian corps, for bringing German families to Poulteney's Colony in the Genessee country, New York State. Then this partnership petitioned from New York on March 20th, 1794, for one million acres of Upper Canada land, preferably upon Lake Erie. The reason given was their attachment to the British Government and the fact that the German people were accustomed to "an executive power more energetic than that of the United States." The expression describes most justly the civil administration of Prussia.

The Government would not consider a grant of one million acres but on May 17th, 1794, ordered that 64,000 acres be granted. When that tract was settled the petitioners might ask for more. The allotment was the Township of Markham, and Berczy brought with him seventy-four families from Europe and the United States. On July 16th, 1796, William Jarvis, the Deputy-Lieutenant of the County of York, named William Berczy a Captain of Militia. There were difficulties about the title of the lands, and Berczy according to his own statement was hardly used. Something was to be said for the Administration also, since Berczy had pertinacities of temper and habit. Osgoode found him a "wrong-headed, meddlesome fellow" but that opinion may have been formed because of his willingness to criticize the land policy of the Government both in Upper and in Lower Canada.

Governor Simcoe had reported to the Home authorities that there were grave disadvantages in making large grants to leaders, and by 1797 Royal instructions were received at York that no allotments of more than 200 acres should be made in future. Yet the British Government itself approved a colonization project proposed probably in that same year by the Count de Puisaye, a French loyalist. He and some of his associates hopeless of a wise Revolution, and respectfully fearful of steel-hearted Jacobins, crossed the Channel to join that tumultuous company of *émigrés* who already had embarrassed the British Government. Over 8,000 of them were in England; nobles, and commoners of the "attached" variety, but few genuine workers were among them. Their hope continually was to co-operate with England against the unworthy "bosses" who were ruling France. Granted always that the *émigrés* had suffered and were in the despairing temper of most refugees, it seems odd that they rested all on the fighting of foreigners. Austria, Prussia and England were expected to spend blood and treasure without stint that the French nobles might get back their estates and take a

red vengeance on the politicians of "The Mountain." De Puisaye's hope was to organize a landing in Brittany. The British Government provided that two divisions of *émigrés* should go first to Quiberon Bay, to be followed by a division of British soldiers, supported by the fleet. The expedition was a failure and at the end of July, 1795, De Puisaye was again in London with no prospects.

Emigration to Upper Canada! That would solve all difficulties. An unsigned, undated proposal to the British Government for the settlement on Crown Lands in Canada of French refugees is found in the Canadian Archives. In the opinion of the late Mr. Douglas Brymner it was prepared by De Puisaye. The plan is remarkable in its detail but it was drafted, undoubtedly, without considering whether or not the proposed settlers had a taste for labour. Finally the British officials consented to recommend to the Government of Upper Canada the grant of a suitable tract of land to De Puisaye and his company of forty persons, among them being the Count de Chalus and his lady. They sailed on the *Betsy* and by November, 1798, arrived at Quebec. A year later the owners of the *Betsy* were suing for the passage money.

The Executive Council on November 22nd determined that the Townships of Uxbridge, Gwillimbury, part of Whitchurch and a township in the rear of Whitby not yet named should be appropriated for De Puisaye's party, the leader to have 5,000 acres. Apparently all were not pleased at the allotment for in April, 1799, Chief Brant suggested a five-mile tract on the lake front between York and Burlington and got into a quarrel with the Administration over the proposal. He was charged with influencing the Mississaugas to sell their reserved lands. Meanwhile the Marquis de Beaupoil and a man named St. Victor asked for passports to return to England. They had found conditions in Upper Canada far from what had been represented to them. By September, 1799, sixteen had left the colony. Twenty were at the York County settlement called Windham and five, including De Puisaye himself, were at Niagara. A portion of the house built by the Count in 1799, about three miles from Niagara-on-the-lake, is still standing. De Puisaye himself returned to England in 1802, became a naturalized subject and died in poverty at Blyth House in Hammersmith. The passport to success in the forests of this country was found in hard, continuous, back-breaking labour. There was something incongruous in the establishment of courtiers in these frowning townships, no matter what services they had rendered against the rise of republicanism. Remembering the social status of Royalist army officers at that period as an aristocratic leisure class the secret of the failure of the settlement may be found in the fact that the party of about forty boasted one lieutenant-general, five full colonels, one lieutenant-colonel, three captains and two lieutenants. There were two Counts and one of them brought with him seven servants as an entourage suitable for his station as a landholder.

A General Election to the Assembly of the Second Parliament took place on August 18th, 1796. Apparently the free and independent voters were convinced that it was "time for a change," for only two of those who sat in the first Assembly were returned, John Macdonell and D. W. Smith. Among those left at home was John White, the Attorney-General, brought into the first House by the influence of Governor Simcoe. Hon. Peter Russell requested him to stand for Addington and Ontario and offered to pay his election expenses. "He was beaten," said Russell, in a letter to England, "but the expenses were paid as promised." The amount was £25 10s. 3d., Halifax currency.

The result of the election follows: *Glengarry,* Richard Wilkinson and John Macdonell; *Stormont,* Robert I. D. Gray; *Dundas,* Thomas Fraser; *Grenville,* Dr. Solomon Jones; *Leeds* and *Frontenac,* Edward Jessup; *Addington* and *Ontario,* Christopher Robinson; *Lennox, Hastings* and *Northumberland,* Timothy Thompson; *Prince Edward* and *Adolphustown,* David McGregor Rogers; *Durham, York* and *1st Lincoln,* Richard Beasley; *2nd Lincoln,* Samuel Street; *3rd Lincoln,* Benjamin Hardison; *4th Lincoln,* and *Norfolk,* David William Smith; *Suffolk* and *Essex,* John Cornwall; *Kent,* Thomas Smith and Thomas McKee.

Thomas Fraser was a New York loyalist who had served with McAlpine's Corps. Edward Jessup, who came originally from Connecticut, was mentioned in the New York Confiscation Act of October 22nd, 1799. Dr. Solomon Jones was surgeon's mate in Jessup's Loyal Rangers and came originally from Connecticut. Timothy Thompson had been an ensign in the King's Royal Regiment of New York. Christopher Robinson, the ancestor of a distinguished Toronto legal family, had been an officer of the Queen's Rangers. He died in 1798 and was succeeded by William Fairfield, who also had seen service in the field. David McGregor Rogers was the son of Major Rogers of the Queen's Rangers and a loyalist of New Hampshire. Richard Beasley was one of the first settlers on Burlington Bay, a merchant of some property. Samuel Street, of Connecticut origin, acted as Speaker during the Fourth Session of Parliament while D. W. Smith, the elected Speaker, was absent from the country. Thomas Smith was a loyalist surveyor who served in the Indian Department. Thomas McKee was the son of Col. Alexander McKee, Indian agent at Pittsburg during the Revolutionary War, and later at Detroit. John Cornwall had been a Ranger. Captain Benjamin Hardison, as a young man, had been a Massachusetts soldier on the Revolutionary side. He was captured and sent to Canada where he revised his opinions and became a firm loyalist. R. I. D. Gray was the Solicitor-General, the son of Major Gray, of Cornwall, and a man of great ability. While the personnel of the Assembly had changed, it was still composed mainly of fighting loyalists who had good reason to hate republicanism. Hugh Macdonell, of Glengarry, who was not elected to the Second Assembly, was highly regarded by the Duke of Kent and on his recommendation was

appointed in 1805 as Assistant-Commissary at Gibraltar. From 1811 to 1820 he was British Consul-General at Algiers.

The first Session of the Second Parliament met at York on June 1st, 1797. The first task before the Members was to pass an Alien Enemy Act; for Great Britain had entered upon the long struggle with the rejuvenated French Nation and precautions were necessary. The Act provided that any person of whatever name, character or description owing allegiance to any country, kingdom, state or commonwealth at war with Our Sovereign Lord the King, should not be permitted to "enter, remain, reside or dwell" in any part of the Province. In case such a person were discovered he must be warned to leave within twenty-four hours. If he neglected the warning he might be sent to jail for one month, and then given a second opportunity to depart. If he still neglected or refused to go he was to be adjudged a felon, to suffer death "without benefit of clergy."

A number of the Statutes at this Session related to the administration of justice; Acts touching the constitution of the Court of King's Bench, extending the jurisdiction of minor Courts, providing for the enrolment of Deeds, for the more easy barring of Dower, for the execution of warrants issued in other British Colonies of America for the arrest of offenders escaped into Upper Canada. Chapter 13 was entitled "For Better Regulating the Practice of Law." It authorized the formation of the Law Society of Upper Canada. The declared object of associating the lawyers was "as well for the establishment of order among themselves as for the purpose of securing to the Province and the profession a learned and honourable body to assist their fellow-subjects as occasion may require, and to support and maintain the Constitution of the said Province." The first members were John White, R. I. D. Gray, Angus Macdonell, James Clark, Christopher Robinson, Allan McLean, Wm. Dummer Powell, Jr., Alex. Stewart, Nicholas Hagerman, Bartholomew Crannel Beardsley. They called themselves to the Bar and also Timothy Thompson, Jacob Farrand, Samuel Sherwood and John McKay. The first practising lawyer in Upper Canada before 1794 when the Governor made a selection of fit and proper persons was Walter Roe, of Detroit.

Since many of the settlers held their lands under Land Board Certificates issued before the organization of the Province legislation was passed providing for the appointment of Commissioners with authority to take evidence looking to the securing of titles under the Great Seal of the Province. An Act was passed requiring that any person selling wine, brandy, rum, or other spirituous liquors in less quantity than three gallons at a time must have a license, whether the vendor kept a house of public entertainment or not. This was the beginning of the "shop license" system. The proceeds from the sale of licenses were to go to the Provincial Treasury. Authority was given for the nomination of Commissioners to confer once more with Lower Canada on the allotment of Customs duties; there was an

Act to provide for the Regulation of trade between the Province and the United States in view of the Treaty of Amity and Commerce; and the Magistrates in Quarter Sessions were authorized to regulate ferries and fix ferry-fees.

The steady flow of immigration from the time of Col. Simcoe's arrival in 1792 to the year 1798 made it necessary to revise the electoral division of the Province. The Act, Chapter V., of the Statutes of 1798 declared that the Counties should be made up of the Townships named below, and that the four Judicial Districts should be increased to eight; namely, Eastern, Johnstown, Midland, Home, Niagara, London, Western and Newcastle. The last named was not to be constituted until the constituent Counties of Durham and Northumberland could give proof to the Governor that 1,000 people were resident within them and that six regular Town Meetings were established. The conditions were fulfilled in 1802.

Glengarry: to be composed of Lancaster, Charlottenburg, Kenyon, the St. Régis Indian reserve and the adjacent islands in the St. Lawrence.

Stormont: Cornwall, Osnabruck, Finch, Roxborough, and adjacent islands.

Dundas: Williamsburg, Matilda, Mountain, Winchester, and adjacent islands.

Prescott: Hawkesbury, Longueuil and the land in the rear of it, Alfred, Plantagenet, and the adjacent islands in the Ottawa River.

Russell: Clarence, Cumberland, Gloucester, Osgoode, Russell, Cambridge and adjacent islands.

Grenville: Edwardsburg, Augusta, Wolford, Oxford on the Rideau, Marlborough, Montague, North and South Gower, and islands adjacent.

Leeds: Elizabethtown, Yonge (with which was incorporated Escott), Lansdowne, Leeds, Crosby, Bastard, Burgess, Elmsley, Kitley, and islands adjacent.

Carleton: Nepean, and the Townships to be laid out between Nepean and a line North 16 degrees west, from the N. W. angle of Crosby to the Ottawa River; and islands adjacent.

The former County of Ontario which consisted entirely of the Islands in the St. Lawrence between Prince Edward and Gananoque, was abolished. Howe, Wolfe and Gage Islands were added to Frontenac, and Amherst Island to Lennox and Addington.

Frontenac: Pittsburg, Kingston, Loughborough, Portland, Hinchinbroke, Bedford, and Wolfe Island (which included Gage Island).

Lennox and Addington: Ernesttown, Fredericksburg, Adolphustown, Richmond, Camden (E.) Amherst Island, Sheffield.

Hastings: Sydney, Thurlow, the Mohawk Reserve, Hungerford, Huntingdon, Rawdon.

Prince Edward: Ameliasburg, Hallowell, Sophiasburg, Marysburg and the smaller Islands opposite.



FISH MARKET, TORONTO, 1841
From a drawing by W. H. Bartlett, engraved by J. C. Bentley

Northumberland: Murray, Cramahe, Haldimand, Hamilton, Alnwick, Percy, Seymour, and the Peninsula of Newcastle.

Durham: Hope, Clarke, Darlington, and the land up to the smaller Lakes above Rice Lake.

York, East Riding: Whitby, Pickering, Scarborough, York, Etobicoke, Markham, Vaughan, King, Whitchurch, Uxbridge, and the land not laid out as far eastwards as the Durham line.

York, West Riding: Beverly, East and West Flamborough, the Mohawk lands along the Grand River, north of Dundas Street, and the reserved lands in the rear of Blenheim and Blandford.

Simcoe: Machedash, Gloucester, or Penetanguishene, Prince William Henry Island, and all land between the Midland District and a line produced northward from a certain fixed boundary fifty miles northwest of Burlington Bay.

Lincoln, First Riding: Clinton, Grimsby, Saltfleet, Barton, Ancaster, Glanford, Binbrook, Gainsborough, Caistor. Second Riding: Newark Town, Grantham and Louth. Third Riding; Stamford, Thorold, Pelham. Fourth Riding: Bertie, Willoughby, Crowland, Humberstone, Wainfleet.

Haldimand: The Mohawk lands on either side of the Grand River south of Dundas Street.

Norfolk: Rainham, Walpole, Woodhouse, Charlotteville, Walsingham, Houghton, Middleton, Windham, Townsend, Turkey Point and Long Point.

Oxford: Burford, Norwich, Dereham, Oxford on the Thames, Blandford, Blenheim.

Middlesex: London, Westminster, Dorchester, Yarmouth, Southwold, Dunwich, Aldborough, and Delaware.

Kent: Dover, Chatham, Camden (W), The Moravian settlement (North and South Orford), Howard, Harwich, Raleigh, Romney, Tilbury, E. and W., The Township on the St. Clair River occupied by the Shawanee Indians (now Sombra) and the adjacent islands in Lake Erie and Lake St. Clair.

Essex: Rochester, Mersea, Gosfield, Maidstone, Sandwich, Colchester, Malden, Indian lands along the straits and islands.

During the Session of 1798 (by approval of a British Order in Council) an important amendment was made to the Marriage Act whereby some clergymen other than those of the Church of England were given, grudgingly, the right to solemnize matrimony. The Act declared that it would be lawful for the minister or clergyman of any congregation or religious community of persons professing to be members of the Church of Scotland, or Lutherans or Calvinists, to celebrate the ceremony of marriage between any two persons not inhibited by consanguinity or other conditions, one of whom had been a member of the congregation for at least six months. Before such clergyman could secure the right he had to give proof before at least six magistrates of his proper ordination and bring with him at least seven respectable persons members of his congregation or community to vouch for him. A

petition signed by Darius Dunham and 119 others urging that this privilege be extended to the Methodists was denied in the Assembly of 1799 by a vote of eight to two.

At the Third Session in 1799 the legislation was meagre. The Alien Enemy Act was renewed; and validation was given to an agreement between Upper and Lower Canada concerning the allocation of customs duties. An Act for the Education and Support of Orphan Children which was passed at this Session was the first Provincial recognition of the problem of poverty. It provided that the Town Wardens with the approval of two Justices of the Peace might bind orphan children as apprentices. If they had reached the age of fourteen years their consent was necessary, but not otherwise. One thinks of Oliver Twist and the system which Dickens attacked so relentlessly.

The most striking record of the Session of 1799 is a message from Hon. Peter Russell recording the first practical effect of the passing of the Militia Act. It said in part:

"I am happy to inform you that the intelligence communicated by me in the beginning of the winter respecting a combined attack on this Province, said to be in preparation from the side of the Mississippi, turns out to have had little or no foundation. It has, however, had the very pleasing effect of evincing our internal strength to repel any hostile attempt from that quarter. For I cannot sufficiently applaud the very animated exertions of the Lieutenants of Counties and the loyal spirit and zeal exhibited by the militia (*) of the several Districts on this occasion, whereby 2,000 volunteers from the respective corps thereof were immediately put into a state of readiness to march with their array at a moment to wherever they might be ordered, and I am persuaded that the rest would have soon followed with equal alacrity, if their services had been wanted."

The occasion for this emergency call is explained in correspondence between Hon. Peter Russell and Governor Prescott, Lord Dorchester's successor at Quebec. On October 5th, 1798, the Governor had written to say that Collot, a French republican general, formerly engaged in a plan for stirring up a rebellion in Canada went into the western country in 1796 and 1797 to prepare the Indians of that region to make an attack upon Upper Canada at the same time as a hostile force would be thrown into Lower Canada. When Collot left the Indian country he promised to return in 1799, and at the time Prescott wrote, the general was in France "concerting measures." The Governor suggested that Russell should ascertain what tribes had been tampered with, so as to prevent the mischief.

In answer to this communication Russell had written on November 2nd that in his opinion a dangerous cloud was ready to burst over the Province.

*The Lieutenants of Counties in 1804 as named in the Upper Canada Almanac were as follows: Glengarry, John Macdonell; Prescott, Wm. Fortune; Stormont, Archibald Macdonell; Dundas, Hon. Richard Duncan; Grenville, Peter Drummond; Leeds, James Breckenridge; Frontenac, Hon. Richard Cartwright; Lennox, Hazelton Spencer; Addington, Wm. Johnson; Hastings, John Ferguson; Prince Edward, Archibald Macdonell (of Marysburg); Northumberland, Alex. Chisholm; Durham, Robert Baldwin, (grandfather of the Premier of Canada); York, Hon. D. W. Smith; Lincoln, Hon. Robert Hamilton; Norfolk, Samuel Ryerse; Oxford, Wm. Claus; Essex, Hon. Alex. Grant; Kent, Hon. James Bâby.

He had not been able to discover with certainty upon which tribes he could depend, as he had had no intelligence from Col. McKee, the Deputy-Superintendent of Indian Affairs stationed at Sandwich. He thought that should the western Indians be disposed to make an irruption on the back settlements they might do mischief before their attack could be heard of. "There are so few farms between the Don and the Humber that it is probable the first news would be the Indians themselves."

Troops and at least one field piece were needed, Russell continued, to enable him to establish posts between York and Lake Simcoe. At this time all the regulars were in Lower Canada, but there was a fair supply of arms in the country, sent by Prescott in the previous year. Russell pointed out the fact that the militia of the Detroit region under McKee and Bâby had been reduced by the secession of those members who had elected to become subjects of the United States, but there seemed to be still about 150 men who could be depended upon. The Long Point settlement might turn out 150 men and the County of Lincoln about 800, consisting of staunch old soldiers. The Eastern and Midland Districts reported only 2,683 men available. It would not be wise to count on more than 1,000 men for the field, to be drawn without domestic interference, in the Home District.

Col. McKee died about this time and his Secretary wrote to Russell on January 23rd, 1799, sending the last suggestions of the veteran of Pittsburgh. In his opinion there was no danger from the Indians of the southwest, unless the white settlers of Kentucky and Ohio should join them. He proposed collecting early in Spring a body of friendly Indians and posting them about Michilimackinac and St. Joseph to bar any hostile incursion. Meanwhile the Sacs and Foxes (of Wisconsin) should get presents to stop an advance through their country. He thought also that the Government should seek a treaty with the Sioux and the Folles Avoines of the Mississippi. On April 25th, 1799, Russell reported to the British Government that the alarming information brought from the westward had proved to be totally unfounded.

A manuscript Diary, covering the first nine days of the year 1799 is to be found in the Provincial Archives. The writer was Alexander Macdonell, of York, Sheriff of the Home District, who was afterwards the agent of Lord Selkirk. The document (which is printed for the first time in the Appendix of this work) is a laborious record of the Sheriff's every movement during these nine days. One looks through it, as through the eyes of the author himself, upon the pioneer village of York and its sophisticated society. Dinner was served at three o'clock, followed by the usual convivial exercises of the time. It was customary to spend the evening elsewhere, where supper was provided, and then to partake of wine until bedtime which was early enough. It appears that all official duties were ended by two in the afternoon. The Garrison where Col. Shank commanded had its officers' mess which served as a Club, for the Sheriff records paying his mess account of $13. (*) Whist and

*Sterling currency, Halifax currency and American dollars were all used in Upper Canada.

conversation seemed to be the only evening entertainment. News of Nelson's victory at the Nile on August 1st, 1798, arrived on January 3rd. On the following day Col. Shank ordered the firing of a *feu de joie* and the officers' mess provided five cords of wood for a bonfire. Towards evening the Sheriff heard that the people meant to illuminate in consequence of the victory. He carried the news to Hon. Peter Russell who ordered his rooms also to be illuminated and assisted in the preparations. In the early winter darkness candles winked from the little windows of every house—but one. William Willcocks did not conform to the public demand for formal rejoicing, and his windows were broken. The fact that he was rich and important, and had been Mayor of Cork, made no difference to the loyal mob which appears to have been led by a man named Thomas Smith; he was arrested next day on Willcocks's complaint. The issue of the case is not known. Sheriff Macdonell had the private opinion that Willcocks deserved to have his windows broken—a judgment in which perhaps some may concur without offence.

The Diary touches occasionally on peculiarities of costume. The Sheriff orders a scarlet waistcoat, sends out his blue pantaloons to be mended, and buys two yards of ribbon to tie up his hair. He mentions casually the consumption of three bottles of Port by a company of four and makes a nice distinction in degrees of intoxication "Mr. Weekes was in liquor; my brother, very drunk; Mr. Powell, gay." Of the Solicitor-General, R. I. D. Gray, he says: "He was teased by Mrs. McGill and Miss Crookshank for having been tipsey at the last Assembly."

William Willcocks, despite the window-breaking episode, was a Personage. His first cousin, Hon. Peter Russell, was in a position of power and influence, first as Receiver-General and then as Administrator of the Government after Simcoe's departure. In the Spring of 1800 he and his family were living in York in as good a style as the crudeness of a frontier community would permit and were members of a social circle which included Dr. Baldwin, Dr. Macaulay, John McGill, Peter Russell, Rev. Geo. Okill Stewart, Captain Denison, Sheriff Macdonell and Mr. Justice Allcock.

On March 20th, 1800, arrived in York the *cadet* of a County family of the neighborhood of Dublin, distantly related to William Willcocks and with the same surname. Since his elder brother, Richard, would succeed to the family estate—and perhaps for other reasons also—Joseph Willcocks, in the traditional manner of a younger son, left home to seek his fortune. He sailed in the ship *Fortitude* on December 1st, 1799, arrived at New York six weeks later and made the Winter journey to Upper Canada—no common undertaking. He had letters of introduction to William Willcocks, but had been five days in York before he was invited to spend a night in his kinsman's house. Apparently the elder did not exert himself to help the new comer—save to introduce him to York society.

On May 1st Hon. Peter Russell engaged the young gentleman—Joseph Willcocks—as a clerk in his office at a salary of £50 Sterling, a year. That

he was competent and willing is proved by the fact that before a month had elapsed his salary had been increased to £60. He was diligent not only in the office but on Mr. Russell's farm, and made no complaint, even in the intimacy of his Diary, of the varied nature of the work he was called upon to do. Constantly he gained in the estimation of his employer. On July 15th he applied for a lot in the Town of York and it was granted. He paid Mr. Russell $10 and Mr. Ridout $4 in fees upon it. Thus encouraged he petitioned for 1,200 acres of land. That also was granted, the fees being £15, 7s. to Russell and £7 10s. to Ridout, the allotment being in the Township of Hope. Then on August 7th he was invited to become a member of the Receiver-General's household, and for two years was treated as a friend and almost as a son. He was supervisor of the farm, and office clerk in working hours. In the evenings he was meeting on equal and familiar terms the best people of the community—Captain Denison and his son, George, George Gamble, Secretary Jarvis, Dr. Baldwin, the military officers, and the Willcocks family —including the son, Charles, a ne'er-do-well and waster. He was esquire to Miss Russell, Peter's sister, in her calls and her church-going, and when there were no social engagements he listened eagerly by the fireside while the Receiver-General read aloud: "Gulliver's Travels," "Tom Jones," "Peregrine Pickle," "Evalina," "Don Quixote" and the New Testament.

Joseph had the strongest feelings of veneration for Hon. Peter Russell. In a letter to his brother in Ireland he declared that in point of general goodness, his employer surpassed all the other men he had ever met. He recorded in his Diary that when a debtor had made some offensive remark about Mr. Russell he replied: "Mr. Russell is above doing any dishonourable act."

Pompadore, Jupiter and a woman unnamed, were slaves in the Russell household. On October 13th, 1800, Joseph Willcocks wrote in his Diary: "Jupiter the black boy was tied up in the storehouse for the most of the day." Three days later he recorded that Mr. Russell was displeased all the evening by the conduct of his female slave. It was a house of plenty. The young Irishman recorded daily the nature of the dinner, and these bills-of-fare strike the modern reader with astonishment—almost with terror. On October 6th, 1800: "We had for dinner a salmon, a fillet of veal, a pair of roast fowl and a bread pudding." On Christmas Day, 1800: "We had for dinner, soup, roast beef, boiled pork, a turkey, plumb pudding and minced pies. We had a supper for the first time in my remembrance. I came to bed at twelve. It was a very fine day. Playter called for some camomile." (No wonder!)

Young Willcocks soon became intimate with William Weekes, the lawyer, who afterwards was to play an important part in the politics of the Province. On October 17th, 1800, he wrote: "I called to see Mr. Weekes in the morning." On the next day: "Mr. Weekes called on me to borrow a waistcoat." On the 19th: "I wrote part of an affidavit for Weekes . . . .

spent the latter part of the evening with Weekes." That the consequences of this acquaintanceship were not all that could be desired appears in an entry for October 22nd: "I dined at Weekes's. Gamble and Ruggles were there. Gamble and Ruggles got so drunk they fell off their chairs and lay there until morning. We drank port. I called at Willcocks's on my way home. They gave me a letter for Gamble. They noticed my being drunk. They were all at wine on my return home."

In view of the present suspicion that Weekes was a United Irishman there is interest in a letter written to one "Conran," of Albany, by Willcocks on June 20th, 1800. After discussing the Union of Great Britain and Ireland under a single Parliament he wrote: "I dread the Union, being thoroughly convinced of the unpopularity of the measure. . . When so many loyal, virtuous and able men put their face against it we cannot be led to believe that such a measure is to be for the National good of Ireland. However, as I have always been too insignificant a being to take any part in a political question, I have no ambition to assume now that which I always disliked and to which I have no title or pretence. But let the question be carried or not carried, it shall never warp my affections for the existing government of England."

The friendship between Joseph Willcocks and Weekes continued until July 19th, 1801. On that date the Diary entry is as follows: "I called at Mr. Weekes's and after some conversation he said that I was under the Pay of Government as their Informer, and used many other opprobrious imputations. I gave him the Lye. He said I should fight him to-morrow. I agreed to fight but not so soon." "Monday, 20th, Capt. de Hean (Hoen) called on me this morning to know my time and place. I told him next morning at the point of the Don. I then went to Mr. Ruggles to get him to be my second. He agreed. He lay with me that night. The hour was changed from six to five. Tuesday, 21st, at four o'clock Ruggles and I were going to the place appointed when the Sheriff met us and put us under arrest. I gave security before Mr. Jarvis to keep the peace for six months."

Truly it was a society—in the words of Thos. Wentworth Higginson—"of extreme courtesy, tempered by drunkenness and duelling." Mention has been made of Charles Willcocks, William's ebullient son. In November, 1800, possibly in a fit of jealousy, Charles called on Joseph who was in bed ill, seized one of the pair of pistols at the head of the bed and threatened to blow out Joseph's brains. The patient secured the other pistol but the affair ended in threats. A month before this Joseph had written to Dr. Baldwin: "Charles Willcocks is playing Hell in Kingston. He transcends all description. Suffice it is to say that he has already ambulated through the catalogue of crimes and is afresh beginning the journey." The humour of the young Irishman appears also in the following extract from a letter to his brother in Ireland. The date is November 3rd, 1800: "There are several Irishmen here and to the honour of our Country the first and only man that has been

hung here was an Irishman. It happened since I came here. It was for forgery. There was no getting a hangman until at length another dear countryman who was in for robbery, with the promise of a pardon, and twenty guineas to carry him out of the country, filled the office with the most unpardonable ignorance. The gentleman who was to die fell three times from the gallows." With his humour went a shortness of temper—not an infrequent combination of qualities—"Sept. 5th: I threw young Hale into the Lake for untying my boat."

The Diary has covert references to two or three passages of a mild flirtation with Miss Russell, and in a letter to Ireland Willcocks declared that he had hopes in that quarter, though he wrote on March 23rd, 1801: "Miss Russell was in the sulks." In the Summer of 1802 he spent three weeks at Niagara for the benefit of his health, and while there wrote a letter to Miss Russell. Her brother insisted upon seeing it, and the consequence was not to Joseph's advantage. On the 23rd of August the young man was dismissed from Russell's service. On September 6th he ventured to write another letter. It was returned to him unopened by the hand of Charles Willcocks "mentioning that she wished me very well, but could not receive any more of my letters." Thus the halcyon days were ended, and "Justice Allcock and Mr. Allan seemed to pity me very much." Soon Willcocks was in the service of the Judge and living in his house. The Diary ends on January 1st, 1803. The next knowledge we have of the young man is his appearance as Sheriff of the Home District. The 1,200 acres granted to him in 1800 were situated in the Township of Hope, lots 29 and 30, 1st Concession; 26, 2nd Concession; 18 and 19, 5th Concession, and 20, 7th Concession.

In the Diary are frequent references to dress, but only one full-length costume-portrait. "October 12th, 1800, Sunday: wore a gray coat, a dark waistcoat, my grey nankin trousers and boots." The cane which he was accustomed to carry, a loaded straight bit of oak with a wrist cord, is in the possession of Dr. Solon Woolverton, of London. It was presented to his grandfather, Jonathan Woolverton, of Grimsby, by Willcocks, because, as he said, the silver monogram on the top of the handle "J. W." would do for either.

The Diary and letter book above quoted were found long after the writer's death in an ingenious hiding place in Jonathan Woolverton's inn, which was the half-way house between Burlington Beach and Niagara-on-the-Lake. It stood a little west of Grimsby village. Jonathan Woolverton's name appears among Willcocks's supporters in the election return for First Lincoln and Haldimand, dated June 12th, 1812. (*)

The war against France spurred British officers everywhere to incessant vigilance. In Upper Canada special care was taken to prevent French sub-

*George Ridout writing from Cornwall in Feb., 1806, to his mother in York, said: "There has been a report here that D'Arcy Boulton and Jos. Willcocks were going to fight a duel, but Mr. Willcocks was afraid. I would like to hear whether it was true." It probably was not.

jects from gaining admission to the country to collect military intelligence or to buy lands from the Indians for secret storehouses. The fact that France was heartily supported by a large body of the American people whose hostility towards Great Britain was still bitter and unreasoning made it necessary for the officials to consider the possibility of invasion by irregulars at vulnerable points along the frontier.

Fort George, near Newark, had been built in 1796 after the surrender to the United States of Fort Niagara on the east side of the River. Thither came one fine morning in the Autumn of 1800 Mr. Pierre Le Couteulx, an amiable civilian, with a letter of introduction from Col. Timothy Pickering of Washington. He was on his way to Detroit with a quantity of merchandise and was filled with a vast surprise when he was detained, as not having a passport, and was politely escorted to Quebec. There he was held while two magistrates and the law officers of the Government made an examination of his papers.

He complained that the arrest was irregular because he was a naturalized American and had lived in the United States for fourteen years. In that position he was supported by Alexander Hamilton and other American friends. Attorney-General Sewell of Quebec was not impressed by this argument. He gave an opinion that Le Couteulx could be detained legally as a prisoner of war. Since 1794 this same prisoner had been "an object of very great suspicion" to the military officers and it may be presumed that they were well satisfied that Mr. Sewell's law happened to coincide with the necessity of the case. It seemed that Le Couteulx under cover of his American citizenship was in continual correspondence with other friends and agents of France, to discover an occasion for striking Great Britain in her North American possessions. One of his letters to Rudolph Tellier expressed the desire of seeing ten ships of the line in the St. Lawrence as an escort to 5,000 or 6,000 troops. "Nothing," he said, "would please the Canadians better." He had written to Liancourt advising that French forces should seize the port of Hamburg, and also should send into England forged bank-notes to the value of £50,000,000 that British credit at home might be destroyed.

In a word, it was clear from his papers, as well as from secret intelligence, that Le Couteulx was an alien enemy. If the Liancourt mentioned were the philosophic traveller, La Rochefoucault-Liancourt, the reason for that careful observer's deportation from Kingston at the order of Lord Dorchester may be guessed. The secret service may have had a glimpse at his private correspondence. This instance may indicate the tumult and danger of the times and the burden which lay upon all the authorities of Upper Canada. The Lieutenant-Governor and his Councillors were perpetually looking four ways; towards Napoleon flitting from Egypt to Marengo, and his multitudinous spies in the United States; towards the hostile republican leaders across the border; towards the doubtful Indians; and towards grumbling settlers

at home. It was no sinecure to govern Canada at the beginning of the Nineteenth Century.

Major-General Peter Hunter (*) was appointed Lieutenant-Governor of Upper Canada on April 12th, 1799. He was in Quebec on June 13th, and arrived at York on August 15th, taking over the Government on the following day. He was a soldier with the military merit of speaking his mind, as was apparent in his first official communication to the King. Concerning Prescott, the Governor of Canada, he said: "I did not know Prescott before. From his conduct I would not hesitate to pronounce him mad." The wholesale grants of land since the beginning of the Colony he considered the main cause of all slowness of development and he vigorously criticized his predecessors in office. Many of the grantees had neither the funds nor the time to clear the land, and some had not even the disposition. Thus there were great bush areas under private ownership besides the reserved areas set aside by the Crown; the population was sparse and there was no possibility of building roads save by Government expenditure. That meant a grant from the British Government or else the sale of some new townships adjoining a well-settled area.

The legislative programme of 1800 began with an amendment to the Criminal Law, abolishing the penalty of burning in the hand, and substituting for it in all cases except manslaughter a fine or a whipping. In view of the difficulty of applying the British penalty of transportation overseas for certain offences, banishment was substituted. If the offender should return without a King's pardon and be discovered within the Province the penalty fixed was death without benefit of clergy. The sanguinary nature of the criminal law of England at this period is mentioned by Knight in his History of England:

**"The name of reform in the criminal laws had not been heard in the House of Commons for fifty-eight years, when in 1808 Romilly carried his bill for the abolition of the punishment of death for privately stealing from the person to the value of five shillings. Nevertheless the House of Commons which consented to pass the bill, forced upon him the omission of its preamble 'Whereas the extreme severity of penal laws hath not been found effectual for the prevention of crime; but, on the contrary, by increasing the difficulty of convicting offenders, in some cases affords them impunity, and in most cases renders their punishment extremely uncertain.' In 1785 no fewer than ninety-seven persons were executed in London for stealing in a shop goods to the value of five shillings."**

In Upper Canada two years before the legislation of 1800 a prisoner had been branded in open court in the presence of Mr. Justice Powell. A Representation Act was passed providing that persons elected to the Assembly must have resided in the Province for four years previous to the date of the polling, or in some other British Dominion for seven years. Provision was

*Peter Hunter was gazetted 1778 as a Second Lieutenant in the 80th Regiment of Royal Edinburgh Volunteers and went to America. He was a Lieutenant in 1781, and on Sept. 24, 1787, became Lieut.-Col. commanding the 60th Royal American Regiment of Foot; Major-General Feb. 26, 1795. He served in the Irish troubles of 1798 and had a regiment of Macdonells of Glengarry under his command.

made also for the summary conviction of persons selling liquor by retail without a license.

In 1801 John Bennett was appointed King's Printer at a salary of £60 currency, with £40 for lodging money. In addition £300 was allowed for the printing of the Statutes and Parliamentary Journals. He declared in a letter of January, 1802, that he had printed 1,800 copies of the Statutes, but could not muster paper enough for the full order of 2,000. The Journals were two-thirds finished but could not be completed until the Spring when paper might arrive. The country depended for communication upon the water-routes and suffered in Winter from almost complete isolation.

The Legislative Assembly of the Third Parliament elected on July 9th, 1801, was as follows: *Glengarry* and *Prescott,* Alexander Macdonell and Angus Macdonell; *Stormont* and *Russell,* Robert I. D. Gray; *Dundas,* Jacob Weager; *Grenville,* Samuel Sherwood; *Leeds,* William Buell; *Frontenac,* John Ferguson; *Prince Edward,* Ebenezer Washburn; *Lennox* and *Addington,* Timothy Thompson; *Hastings* and *Northumberland,* David McGregor Rogers; *Durham, Simcoe* and *East York,* Henry Allcock; *West York, 1st Lincoln,* and *Haldimand,* Robert Nelles and Richard Beasley; *2nd, 3rd* and *4th Lincoln,* Ralfe Clench and Isaac Swayzie; *Norfolk, Oxford* and *Middlesex,* Hon. D. W. Smith; *Kent,* Thomas McCrae; *Essex,* Matthew Elliott and Thomas McKee.

Hon. D. W. Smith was chosen as the Speaker. He and five others were the only survivors of the Second Parliament; namely, Robert I. D. Gray, Timothy Thompson, David McGregor Rogers, Richard Beasley and Thomas McKee. The impropriety of electing a Judge to the Legislative Assembly was noted by the petition of Samuel Heron, Archibald Cameron and Elisha Beaman to void the election of Mr. Justice Allcock, Member for Durham, Simcoe and East York. They lamented the early necessity of complaining against an infringement of the Constitution "meditated by a few individuals and partly perfected by their artifices" and declared that Henry Allcock had been improperly, untruly and unjustly returned. On June 11th, 1800, a committee of the House determined that Allcock had not been duly elected and on the following day the Speaker's writ issued for a bye-election. Angus Macdonell, of York, was chosen in Judge Allcock's place. In 1801 on August 15th, the Bishop of Quebec was sworn in as a member of the Executive Council. Mr. Justice Allcock succeeded John Munro, deceased, on February 20th, 1802, and on May 31st became Chief Justice, Judge Elmsley having succeeded Osgoode as Chief Justice of Lower Canada.

Three distinct classes of people were in Upper Canada at this time, the coterie of officials and military officers, active or retired, the discharged soldiers who had taken up land, and the civilian settlers. The first group was an aristocracy wholly English in thought and outlook and sufficiently well-to-do to create and maintain a society given to polite entertainment and

impolite gossip. There was a "court" at Newark and subsequently at York which was an odd miniature of St. James's.

Hon. Peter Russell wrote to Hon. William Osgoode at Quebec on January 9th, 1800, describing the circumstances which led up to the famous White-Small duel and its fatal termination. The letter throws into light the gossiping tendency of the "court." Mrs. John Small and Mrs. Elmsley saw fit to disapprove of Mrs. White and "cut" her at a public assembly. This conduct exasperated White, the Attorney-General, "to such a degree that in the violence of his consequent agitation he communicated some circumstances to the prejudice of Mrs. Small's character to Mr. David Smith, with permission to repeat, which he did, to Mrs. Elmsley. Mr. Smith had the very great imprudence to tell it, about six months after, not only to the Chief Justice and Mrs. Elmsley but to Mrs. Powell and three or four others." In course of time the story came to Mr. Small's ears. Immediately he called upon Mr. White and insisted that he declare at once whether or not he was responsible for the scandal. The letter continued: "Mr. White answered that, it being possible that Mr. Smith might have said more or less than he was authorized to do, Mr. Small had better write to Mr. Smith to know for himself whether it were true or false, but taken so by surprise he could not immediately give him the answer he required. Mr. Small replied he must then give him immediate satisfaction. It was in consequence agreed that they should meet the next morning in the park behind the Government House, Mr. Small accompanied by Mr. Sheriff Macdonell and Mr. White by Captain de Hoen (a former Hessian officer, and a Baron). Mr. White previous to his going out declared to Mr. Weekes, a barrister, and to his second that having no wish to hurt Mr. Small on this occasion he should not fire at him, but whether he had altered this resolution, or the (appearance) of his antagonist . . . convulsed his finger to pull the trigger, both pistols were fired nearly at the same instant, but Small's with better aim, as the ball passed between Mr. White's ribs, and striking the spine caused an instant palsy of the lower extremities. My poor friend, being at his own desire brought to my house, I hurried him into my own bed. . . . There he continued in the greatest torture until the usual mortification set in, a few hours before his death. He was buried in a summerhouse on his own land adjoining the town, on Tuesday, the 7th instant. Mr. Small was tried at the last Court of Oyer in this town and acquitted, through some neglect in the prosecution to produce evidence of Mr. White's being killed by him, for neither of the seconds was called and no one else was privy to the transaction. The verdict of the jury has consequently excited some apprehension that this decision may lessen the dread of punishment."

The first product of the settler was ashes for the making of potash. The trees now so valuable were enemies in those days to be attacked without quarter. While the first clearing was made with the axe, fire was used afterwards. The dried underbrush was set alight and the hardwood was

thus charred and killed. The dead trees were brought down by the axe or the winds of Winter and then followed the logging bee. All the neighbors assembled with chains and oxen and made enormous piles of the dry logs. These were fired and the ashes saved for sale. There was a social side to these logging bees, with whiskey only 2 shillings a gallon, and with a dance beginning at nightfall. The official fiddler in each settlement had a busy time and did not escape rebuke. The downright theology of the Methodist saddle-bag preachers impelled them to regard the fiddler with disapproval. Dr. Carrol in "Case and his Co-temporaries," says that Nathan Bangs had a set contest with a fiddler of the neighborhood of York who announced that so long as the Methodist continued his "revival meetings" he would fiddle free at all dances. Finally one Sunday morning Bangs was preaching from Galatians V., verses 19 to 21. When he came to the word "revellings" he applied it to the frolics of the fiddler and his friends. "I do not know that the Devil's musician is here to-day. I do not see him anywhere." "Here I am," cried the offender in a roar of laughter. The rebuke that followed was so direct and so stern, if not savage, that the early disciple of Art was cowed and gave no further trouble.

This imperious Puritanism was sometimes buttered with a pretty wit. "Scolding Dunham" as Darius Dunham, one of these itinerants was called, had a fancy for a good horse, and rode a veritable charger. For this he was rallied by a newly-appointed magistrate who was not too popular amongst the settlers. "You are unlike your humble Master," said the magistrate. "He was content to ride upon an ass." Dunham replied in his usual measured and heavy tone: "I agree with you perfectly and I would assuredly imitate my Master in that particular but for the difficulty of finding the animal required, the Government having made up all the asses into magistrates." This was the Darius Dunham whose name headed the petition of 1799, requesting Parliament to grant to Methodist ministers the right of solemnizing matrimony.

Ague and intermittent fever were persistent ills in all sections of Upper Canada. Thus arose the superstition concerning the deadliness of "night air" and the unwholesomeness of undrained land. Mr. Justice Riddell has pointed out, very acutely, that the mosquitoes were legion, as scores of travellers testified. Our great grandfathers did not know the worst of these pestiferous insects. They never dreamed that "feveranagur" and all malarian infection were obligingly brought by the mosquitoes and by them alone. The draining of the swamps and low places merely destroyed their breeding-grounds—save for the rainwater "bar'l" at the corner of each house.

Despite the hardships, ills and toils of pioneer life it had its attractions. Land for the asking was a novelty in those times, particularly to people of British birth. The spice of adventure added to the pleasures of independence. They worked like slaves, but they were working for themselves instead of for a landlord. Many of them came to positions of importance in their com-

munities and in the country. Many more saw their sons and daughters prosperous and their grandsons rich. The virgin soil of this Province repaid cultivation.

At the Session of 1801 the legislation included an Act for the encouragement of hemp growing, and the prohibition of the sale of liquor in the tract occupied by the Moravian missionaries on the Thames. The first legislative concession to women, an Act to enable married women having real estate "more conveniently to aliene the same" was reserved by the Governor for the King's pleasure. In 1802 a committee consolidated and revised the Rules of the House. Early in the Session a petition was received by the Assembly signed by over 300 of the freeholders of Glengarry urging that a Fair be established in the County either in May and October or in June and October, since certain articles of produce would hardly bear the expense of transportation to Lower Canada, where also such articles were abundant. The petitioners believed that such a Fair would be of service to the immigrants desiring supplies, and that the old inhabitants would find it a convenient exchange for bartering cattle, horses, sheep, leather, wool, yarn, butter, sugar, homespun cloth, linen and other articles. The Assembly considered the petition but gave the proposal the three months' hoist.

There was also a new petition from the Methodists desiring that their preachers should be given the right to solemnize matrimony. "This requisition, we your petitioners pray may be taken into your serious consideration and we trust our request will appear so reasonable that opposition will lay down its head, while ease is given to the minds and consciences of a numerous body of the inhabitants of this Province, and who are not the least numerous sect in the different Districts of Upper Canada." On June 12th, 1802, Mr. Clench moved, seconded by Mr. Swayzie, that the Bill giving relief to the people called Methodists be read a second time. An attempt to give the bill the three months' hoist was defeated and the motion passed by nine to five. Third reading came on the 15th, but in the Legislative Council the Bill was laid on the table—and remained there.

The growing hostility between the two Houses of Parliament blazed into an open quarrel during the Session of 1803. The Assembly had appointed a Committee to report a revised table of fees taken in the various Courts of Judicature, and this Committee summoned the Clerk of the Crown, the Clerk of the Peace, the Clerk of the District Court, the Clerk of the Court of Requests, and William Weekes, the barrister, to attend and give evidence concerning the fees they received. All attended but David Burns, Clerk of the Crown, who declined under advice.

Alexander Macdonell, Chairman of the Committee, moved in the Assembly that the Sergeant-at-Arms have the body of David Burns at the Bar of the House to answer for his contempt of the rights and privileges of the Assembly. On February 7th the Speaker issued his warrant and the Sergeant-at-Arms, Thomas Ridout, took Mr. Burns into custody, releasing

him on his parole that he would attend at the Bar on the following day. Mr. Burns did not appear, whereupon the Sergeant-at-Arms was directed to go to the Legislative Council and fetch him. He went, but came back with a report instead of with the body. He said: "Upon my appearance at the Bar of that House the Honourable the Speaker asked me what was my business. I answered that Mr. Burns being in my custody by virtue of a writ from the Speaker of the Commons House of Assembly, I attended to conduct him to the Bar of that House. The Honourable the Speaker of the Legislature (Judge Allcock) then asked me if I had the audaciousness, the effrontery to come there. I replied that I only obeyed the orders that I received. He then said I would do well to consider in what manner I conducted myself. I then withdrew."

The Legislative Council made a formal complaint to the Assembly of the insult offered the Upper House by the visit of the Sergeant-at-Arms, and the Assembly suspended him *pro tempore* naming Charles Willcocks in his place. The Committee on Privileges of the Lower House met and determined that the House of Assembly was a Superior Court of Record and that every disobedience of its orders was a case of high contempt and misdemeanor punishable at its own discretion. Despite the protest of the Council Mr. Burns appeared at the Commons Bar and declared that it was far from his intention to do anything that might wear the slightest appearance of insult, but a servant of the Crown declined answering any questions except through the medium of the person who represented his Sovereign. When asked if he would express contrition for his offence, Mr. Burns said that he would not.

Later a joint Committee of the two Houses recommended that in future when either of the Houses of Parliament might have occasion for the attendance of any Member or Officer of the other, application by message should be made. At the request of the Committee the Sergeant-at-Arms was "rebuked with severity" by the Speaker of the Assembly and ordered to resume his place.

The continual bickering between the Legislative Council and the Legislative Assembly was a natural outcome of the method of Administration. The Governor and his Executive Council were all-powerful, subject to no control save by the British Ministry four thousand miles away. The Legislative Council was appointed by the Crown and generally was an echo of the Governor's opinions. The Assembly expressed with general accuracy the views of the settlers, set forth the burdens under which they laboured and sought again and again to correct the methods of administration. Since the Members were chosen under a restricted franchise they voiced the opinions of approved Loyalists. There was no party of the Extreme Left, clamouring for separation from the British Empire, but the rigidity of the Administration, the lack of a genius for compromise, tended to intensify an opposition begun in good faith and to exacerbate the feelings of settlers with a grievance. The Crown officials became little Czars in their own right and

regarded complaints without concern. General Hunter in at least one instance worked a change. A body of Quakers settled in the upper part of York County complained to him that they were unable to get the patents for their lands. The Governor summoned Secretary Jarvis to give an explanation. He gave the usual one, of press of business, whereupon General Hunter said: "If these men do not get their patents to-day, by George I'll un-Jarvis you." They got them and the Secretary continued "Jarvising" for some years. The imperious temper of the Governor was resented by not a few officials, since a small coterie of their number occupied a preferred position. For some years the Civil Service was shot through with dissension. When in 1807 Judge Thorpe became a candidate for the House of Assembly, William Jarvis was one of his supporters and waited on him with the nomination.

Thomas, fifth Earl of Selkirk, born in 1771, became familiar in his young manhood with the distressing conditions in the Scottish Highlands where the decay of feudalism had borne hardly upon the tenant farmers. Whole districts once given to agriculture were transformed into sheep-walks. At the beginning of the Century Lord Selkirk came into notice by the publication of an essay on Assisted Emigration as one solution for poverty. He was of ardent and resolute temper, and discouragement by the King's Ministers by no means quelled him. In 1803 he brought 800 settlers from Argyle, Ross, Inverness and Skye to Prince Edward Island and established them in a colony in the eastern portion of the Island. Then in 1803 and 1804 he travelled extensively in Canada and the United States perfecting a plan to found a Colony of Scots in Upper Canada, peopled mainly by his countrymen who had settled in the United States and had not found conditions to their liking.

Authority was given by the Home Government to Lieutenant-Governor Hunter to grant to the nobleman 1,200 acres, and to each family he might settle, 200 acres, in whatever portion of the Province he might choose. His first project was to choose land near Sault Ste. Marie, provided he could secure the mineral rights on the north shore of Lakes Huron and Superior. Evidently this was found not to answer. Ultimately he chose a block of land in the Townships of Dover and Chatham facing the Lost Channel of the St. Clair River opposite Walpole Island. He called the settlement Baldoon but it was not as successful as he had hoped. Not more than a score of families were brought there, under the direction of Alexander Macdonell, M.P.P., of Glengarry: some from the United States, and some from the Prince Edward Island settlement. The land was of the finest quality, but it was low-lying, and many of the people suffered from malarial infection. Those who were able to withstand the climate had begun to prosper when the War came and the settlement was raided. The near-by town of Wallaceburg was established by descendants of some of the first settlers of Baldoon. As late as 1829 some of the original farms were occupied; one of the residents, John T. Macdonald, with his family, was greatly annoyed by a series of strange

happenings which seemed to point towards Witchcraft or the Black Art. There is a pamphlet entitled The Baldoon Mysteries which tells a most curious story, of stones propelled from the river without human hands, of sudden fires, and of ambulatory furniture.

In March, 1803, General Hunter was informed by the Home authorities that a very considerable accession to the population of the County of Glengarry might soon be expected. The Highland Regiment of Glengarry Fencibles which had done good service in the Irish Rebellion of 1798 had been disbanded and their Roman Catholic Chaplain, Rev. Alexander Macdonell, had drafted a plan of emigration whereby the discharged soldiers with their families might be removed to Canada to live with their kinsmen. He asked that the Government would assume the charge of his own services and those of a schoolmaster and expressed a willingness to sail for Canada immediately. The British Ministers were willing to further the enterprise, for the reputation of the Macdonells was of the highest; General Hunter himself had had the Glengarry Regiment under his command in Ireland and knew the quality of the men. He had found them "a remarkably well-behaved and well-disposed set of people." The wholesale emigration did not take place for some unknown reason, but in 1804 Rev. Alexander Macdonell arrived in Canada with Government instructions "to take upon himself the spiritual charge of the Scotch Highland Catholics settled in the Province." That included the population of Glengarry, Prescott and Stormont, by this time almost 10,000 in number, and minor settlements in other parts of the Upper Colony. He was warmly received and in due course became the first Roman Catholic Bishop in the Province—and the first in the Empire to have Government approval, since Henry VIII.'s time.

In August, 1806, proposals by Lieut.-Col. John Macdonell were sent to England, offering to raise in Glengarry County a Highland Fencible Corps. Ultimately the proposals were approved, and the Glengarry Light Infantry played an important part in the War of 1812.

General Hunter forwarded on April 10th, 1804, an Address to the King from the Legislature praying for aid towards the erection of public buildings in York for the preservation of the Public Records, for the accommodation of the Legislative Council and Assembly, for the Courts of Justice and the transaction of other public business. The Address said in part: "There is not a single building for any one public office. The different offices are in the private houses of the officers filling the different situations, and the Executive Council meets in a small room in the Clerk's house where their discussions may be overheard. The houses are all built of wood and afford slender security for the records. The public pays £350 annually for rent. The building appropriated for the meeting of the two Houses of the Legislature, for the Court of Appeal, Court of King's Bench, District Court, and Quarter Sessions consists of two rooms erected eight or more years ago as part of one intended for a Government House. The building is also used for a church." It was estimated that the cost of the necessary buildings would be £15,120.

# CHAPTER V.

## THE TALBOT SETTLEMENT.

*By Fred Landon, M. A.*

Colonel the Honourable Thomas Talbot is the most prominent pioneer figure in the settlement of the southwestern part of the Province of Ontario. A considerable amount of tradition has become attached to his name and fame, much of it having to do with his eccentricities. In his own day men were likely to be his zealous supporters or vigorous critics, and their descendants remaining in the district are likely to take the point of view of their forefathers.

There was much of the Eighteenth Century about Talbot, and his political ideas were influenced by the character of his earlier life. As a young man he was one of Simcoe's train when the latter attempted to reproduce in the Canadian forest the forms and ceremonies of a monarchical government centuries old. When, among his settlers a generation later, the restless eager under-current of democracy was manifest, he could only see in it something subversive of the British Constitution. Demand for constitutional reform and outcry against privilege and monopoly were to him rank disloyalty and there is something almost pathetic in his efforts to check the current of restless thought among those whom he regarded as his wards. When he was opposed he was again like Simcoe in giving his adversaries no credit for sincerity and sometimes charging them with improper motives in a way that revealed bitterness on his part.

His own sincerity is not questioned. Speaking in 1832 he said: "When I commenced the settlement of this country, between twenty and thirty years ago, my most anxious desire was to form a truly British colony." He had that same horror of republican principles which characterized so many of the earlier administrators of the Province and like them he knew no way of meeting these influences save stubborn unyielding opposition. He was a part of the system, even though remote from its centre, and he lived to see it swept away. But he died, one may well believe, convinced that the times were out of joint.

Talbot is commonly referred to as the founder of the Talbot settlement, and this is correct in that he was early on the ground, that he acquired the right to allot land to those who came after him and that he did so in his own peculiar way. In the matter of securing actual settlers, however, he showed very little initiative. He welcomed those who came, if they were of the right type; he used his influence to secure the building of roads which were of the greatest advantage in facilitating settlement; he had the lands surveyed well in advance of the arrival of the pioneer farmers and he steadily added to his

own holdings. His desire to accumulate a great landed estate was doubtless one of the influences which led him to give up military and court life to enter upon the life of a frontiersman. The strategic position he held as a land agent and his influence with the provincial bureaucracy—not to mention his standing with the British authorities in early days—enabled him to achieve his ambition, at least in so far as extent of land holding was concerned.

It was within the castle of Malahide, the family seat, nine miles from Dublin, that Thomas Talbot was born on July 19th, 1771. The Talbot family traces its lineage back to the Norman Conquest when a Richard de Talbot was one of the barons joining with William of Normandy in the invasion of England. Another Richard Talbot accompanied Henry II. to Ireland and received the barony and castle of Malahide in the year 1174. Three centuries later the grant was confirmed to one Thomas Talbot by King Edward IV., and a copy of this Royal grant was found among Colonel Talbot's papers after his death in London, Ont., in 1853.

Of that generation of the family to which Colonel Talbot belonged several distinguished themselves. The elder sons, Richard and James, inherited the title in turn. John Talbot entered the navy and was an admiral before he died, while Neil, as a colonel of dragoons, was killed in the Peninsular War. The military contribution of this family to their country was by no means small.

As a younger son the usual paths were open to Thomas Talbot. The army, the navy, the church, the public service—these were before him. He chose the army, or rather, had it chosen for him, for when he was but twelve years old we find him commissioned as an ensign in the 66th regiment of foot, given promotion to a lieutenancy a few months later, and then, still a child, retired on half pay. During the next three years he received his formal education at the Manchester Free School, the same school to which the unhappy Thomas de Quincey was sent a little later and of which there is mention in his writings.

At the age of sixteen young Talbot became a lieutenant in the 24th foot and was appointed an aide-de-camp to the Lord Lieutenant of Ireland, the Marquess of Buckingham. Attached to the staff was another young lieutenant rather the senior of Talbot, Arthur Wellesley by name, but known better to this day as the Duke of Wellington. The friendship between the two young officers, thus begun, was renewed from time to time in after years, as fate or chance brought them together, one from great military exploits on the continent and great political responsibilities in England, the other from pioneer farm life in the forests of Upper Canada.

In the year 1790, when he was nineteen years old, young Thomas Talbot came to Canada, his regiment at that time forming part of the garrison at Quebec. In 1791 Lieut.-Col. John Graves Simcoe, newly appointed as the first Lieutenant-Governor of Upper Canada, arrived at the citadel

port on his way to the inland province where he hoped to be able to create a loyal and well protected British colony. Col. Simcoe invited the young lieutenant to join his staff and the invitation was promptly accepted. It was an attractive proposal, if for no other reason than that it offered a change from the humdrum of garrison life. During the next three years we find young Talbot sharing the strenuous activities of one of the most strenuous of governors. There were long journeys to be made to the more distant parts of the province, sometimes in the middle of winter, there were proclamations to be drawn up, negotiations to be carried on with Indian tribes, not to overlook the social duties which were so punctiliously observed by the little circle of English men and women, holding fast to their customs and manners on the frontier of civilization. Mrs. Simcoe, in her Diary, gives us pleasant little pictures of the life they led, and speaks of young Lieutenant Talbot in a way that indicates his agreeable nature at this time.

Talbot's Canadian career was interrupted at length by the crisis in European affairs. The excesses of the French Revolution were gradually drawing all Europe into a struggle that was only to terminate with the overthrow of Napoleon at Waterloo, at the hands of Talbot's friend of an earlier day. In June, 1794, young Lieutenant Talbot was recalled to active service and ordered to join the 85th foot. For the next six years he was one of England's soldiers, taking part in various operations, none of which brought him any special honor or advancement, though in 1796 he became Lieut.-Colonel of the 5th regiment of foot. Army life gradually lost its glamour, if indeed it had ever had much glamour for him. On Christmas Day of 1800 he sold his commission, thus withdrawing from the army, and shortly after returned to Canada.

There has been much speculation as to his reasons for this strange move. Mrs. Jameson, the writer, had a natural curiosity regarding this when she visited Talbot at his home in later years. She records a rather sprightly conversation in which he told her that it was the writings of Charlevoix which attracted him to Upper Canada.

"You know he calls this the Paradise of the Hurons," said Talbot. "Now I was resolved to get to Paradise by hook or by crook and so I came here." Then he added, in another tone: "I have accomplished what I resolved to do —it is done. But I would not, if any one was to offer me the universe, go through again the horrors I have undergone in forming this settlement. But do not imagine I repent it; I like my retirement."

Simcoe, who knew Talbot so well, attributed the decision to settle in the backwoods of Canada to his energetic disposition and his desire for "incessant and active employment." That Talbot had wearied of army life is clear, and delay in promotions may have added to the weariness. There is evidence that he was disgusted with the hollowness of the fashionable life of the time, in that circle in which birth and position alike placed him and where he must find his friends if he remained in England. He already

knew something of Canada and had seen some of its possibilities where intelligence and industry were linked up with birth and influence. As between the older and the new societies he preferred the new. Simcoe had given him a promise in the past that whenever he wanted to settle down there would be a liberal grant of land at his disposal. That promise he now purposed to press to fulfilment.

In coming to Canada he had already fixed upon the part of the province where he would like to have his domain. On a journey to the western part of the province, made in company with Governor Simcoe early in 1793, Talbot had not failed to notice the fine lands that lay between the north shore of Lake Erie and the River La Tranche or Thames. It was during this trip in 1793, which extended as far to the west as Detroit, that Simcoe, visiting the forks of the Thames at what is now the site of the present city of London, fixed upon this as the ideal location for his provincial capital. Nobody else in official life seems to have been pleased with the plan of placing the capital in so remote a part of the province but Simcoe never gave up the idea while he remained in Canada.

The country which Talbot fancied so strongly was and is today one of the most fertile parts of the province. It was at that time covered with a dense forest and traversed by many small streams. The climate was moderated somewhat by the presence of the great fresh-water lakes, which also provided a convenient means of communication. A story has come down that on one occasion when they were encamped at the mouth of a creek on the shore of Lake Erie, Simcoe suggested to Talbot that he should settle there. "Not yet," was the answer, but when they came to the mouth of another creek he grew enthusiastic. "Here will I roost," he exclaimed, "and will soon make the forests tremble under the wings of the flock I will invite by my warblings around me." One version of the tradition has it that the chosen home was at the mouth of Talbot Creek, while another version of the story makes it the mouth of Kettle Creek, where the village of Port Stanley is found today.

In returning to Canada, Talbot was depending in part upon the promise of land that had been made to him by Governor Simcoe. He found, however, that with Simcoe gone from the province that name was little recommendation with the newer generation of administrators. He filed his application at York and made his way inland to the country he loved so well. There he began clearing the forest and gave to his settlement the name Skittie-waaba (Ojibway for fire-water). He was not content, however, to settle down on the officer's grant of 5000 acres to which he was entitled, generous though that might seem to be. If his name and influence were not sufficiently potent to secure a greater favour from those in charge of affairs at York, he would go beyond them and over them, and through his connections in England secure that recognition which he felt was his due.

Thus we find him writing to no less a personage than the Duke of Cumberland, son of George III, and making the following request:

"I have to petition that you will have the goodness (I may add charity) to ask of the King the grant of a Township in Upper Canada for yourself, exempted from the fees to Government and obligations of location—for instance, the Township of Houghton, in the county of Norfolk on Lake Erie or any other adjacent one. Which, when Your Royal Highness has procured His Majesty's patent for, it must be transmitted through the Secretary of State for the Home Department to the Governor and Council of the Province of Upper Canada, in order that the necessary Provincial Deeds may be made out for possession—Your Royal Highness can on receiving the Royal Patent, make a legal transfer of the Grant to me."

In this letter written to the Duke of Cumberland Talbot gives a picture of his daily life in the new country that is not without charm. "I promise myself," he says, "the enjoyment of every comfort in this Country excepting that material one, of seeing those I most respect and love. A small income provides the necessary luxuries in this Province to a Settler as his industry and labour procure him provisions. I am out every morning at sun-rise in my smock frock felling and burning the forest to form a farm; could I but be seen by some of my St. James's friends when I come home to my frugal supper—as black as any chimney sweep—they would exclaim 'What a damn'd blockhead you have been, Tom' — but I say, no, as I actually eat my homely fare with more zest than I ever did the best dinner in London."

It is in such a mood and in such a setting as this that the admirable qualities of this pioneer best display themselves.

For some reason, not explained, the Duke of Cumberland did not himself press Talbot's suit but engaged the offices of his brother, the Duke of Kent. The latter wrote to the Colonial Secretary urging that Talbot's request should receive consideration and, happily, Simcoe was also able to add his influence at headquarters. From his intimate knowledge of Upper Canada he was able to inform the Colonial Office with regard to Talbot's plans which had been brought to the attention of the Government.

What Talbot actually desired was that he should receive his retired officer's grant of 5000 acres, if possible in the township of Yarmouth. The remainder of the township he wished placed in his hands for him to settle with people whom he would personally select. For each settler placed on a plot of 50 acres he would receive 150 acres himself "for the expense and trouble of collecting and locating them." It was intimated to the Government that the people whom he would gather in and locate on these lands would be chiefly Welsh and Scottish families who had emigrated to the United States, and being dissatisfied with conditions in the Republic were ready to return to a British possession and British allegiance. Simcoe added another reason for recognition of Talbot's claim, namely, that in

Upper Canada Talbot was developing the hemp industry, so essential a naval supply, and should be given every encouragement. The combined influences thus brought to bear were sufficient to move the authorities and Talbot soon received a letter directed to the Government of Upper Canada authorizing an extensive grant, though not quite along the lines which had been originally suggested.

Under the new arrangement, authorized by the Colonial Office, Talbot was to receive the retired officer's grant of 5,000 acres to which he was entitled. If Yarmouth were already allotted this grant was to be in some other township which Talbot might select. This 5,000 acre tract he was to divide into 50 acre farms and for each settler whom he located on one such plot he was himself to receive a reward of 200 acres from lands elsewhere in the same township. This would repay him for the 50 acres surrendered and give him 150 acres additional as a reward for his settlement activities. It is quite plain that under this plan the maximum amount of land which Col. Talbot could secure would be 20,000 acres, or 15,000 acres above his officer's grant. That there was a difference between theory and practice is quite evident when it is recalled that before retiring from active life Talbot had control of more than 60,000 acres of land and had practically defied attempts of the provincial administration to interfere with his rule in this miniature kingdom.

In 1803 we find Colonel Talbot returning from England to enter upon his possessions. He found that the southern part of Yarmouth township, which he had regarded so favourably, had been turned over to the Bâby family for their services to the Crown, and he therefore had to look elsewhere. His choice fell upon Dunwich Township, farther to the west. This also fronted on Lake Erie, was well watered and was not inferior to Yarmouth. With several helpers he proceeded to his lands and on the 21st of May, 1803, the first tree was felled in the Talbot settlement. History does not record whether Talbot and his assistants pledged the future of the new settlement as did Galt and Dunlop when they felled the first tree on the occasion of the founding of Guelph in 1827. But this little clearing, at the mouth of a small creek flowing into Lake Erie, was henceforth to be the home of Colonel Talbot, the center from which his interests and influence would range, the Mecca of expectant land-seekers, and for all time a spot where history and romance would blend. From this center the great road building enterprises so essential to settlement were to radiate, to the east towards the Norfolk settlements and to the west towards the Detroit River. The name Talbot was to attach itself to the creek, the farm, the roads, the district, and even the settlers themselves.

Talbot's first task was to erect a rude dwelling which was followed within a couple of years by a more pretentious structure with various out-buildings. Carpenters had to be brought in from Niagara for the erection of the later buildings, portions of which long remained in good

preservation, looking out over Lake Erie and placed in one of the most charming bits of rural scenery in all Western Ontario.

In 1804 Colonel Talbot proceeded to take out the patent for his grant of 5,000 acres. This he selected in a solid block in Dunwich, and in accordance with the instructions from London it was stipulated that new-comers were to be placed on 50 acre lots of the grant, the 200 acres awarded for placing each new settler to be chosen elsewhere in the township. But these provisions were quite disregarded and the 5,000 acre plot in Dunwich remained in Colonel Talbot's possession while the settlers, when at last after the War of 1812 they began to come in, were strung out along the Talbot Road on other lands.

What the Colonial Office had plainly intended was that a compact settlement should be quickly built up. The farms would be small according to present day ideas but probably quite large enough when the strenuous task of clearing the land was involved. One hundred families located on 5000 acres could have had schools, churches, medical attendance, stores and all other forms of co-operative enterprise. They would, moreover, have been relieved of much of that terrible loneliness and isolation which added so much to the hardship of pioneer life in Upper Canada. In time the settlement would have expanded, the young men taking up land for themselves and the girls becoming their partners in the life of the new country.

Instead of attaining this desirable state of affairs, Colonel Talbot's policy of withholding his lands from settlement tended, just as in the case of the clergy reserves and other large grants to favoured individuals, to complicate the task of opening up and developing the country. Newcomers, lured to Canada by the Government proclamations, found that when they got fifty acres Talbot got three times that amount of land. This and certain other features of Colonel Talbot's régime have left some bitter feelings even today among the descendants of those whose life was thus made harder.

There were other conditions under which Colonel Talbot received his grant that were ignored or forgotten. Apparently but little was done to develop the growing of hemp. It had also been stipulated that the settlers on the lands were to be brought from the continent of Europe or from the United States. Apparently it was expected that people of British birth residing in the United States would be sought out and induced to come to Canada. But no serious effort in this direction appears to have been put forth at any time. From 1803, when Colonel Talbot first settled, down to the War of 1812, not more than a dozen settlers had come in from either the continent of Europe or the United States and there is no evidence that Colonel Talbot had anything to do with their coming to Canada. After the War of 1812, in the revulsion of popular feeling, no Americans were allowed to come in and take up land, and the people who did come in, and by whose coming Colonel Talbot prospered, were chiefly of Scottish birth, forced to emigrate by conditions in their own land. They were diverted to

the township of Aldborough in time to save Talbot from forfeiting his agreement with the Government, and the conditions under which they received their lands did not produce any great love for the strange figure with whom they had to deal.

For the first six years of his life at Port Talbot the founder of the settlement led a lonely existence. Mechanics were brought in by him from time to time but when their work was completed they left for some other settlement. One of these, it is true, George Crane by name, had received a farm in Dunwich when he married in 1806, but there were no other settlers clearing farms that they could call their own. It was not until 1809 that there came along the first of the long procession of land-seeking immigrants who were to add such a picturesque touch to Colonel Talbot's home, where all must repair to make their application. These immigrants who came in 1809 were from Pennsylvania, the Pearce, Patterson and Storey families, thirteen souls in all. They were given a hearty welcome by Colonel Talbot who found them to be of Irish extraction, and valued them the more for that. They were quite the type of settlers needed in the district and were promptly located on lots to the west of Port Talbot and along the lake shore where their settlement was commonly known as "Little Ireland." These people were treated with marked kindness by Colonel Talbot who, after his six lonely years, must have been grateful for the sight of honest faces and the sound of human voices. Two other Pennsylvanians who came at this time, John Barber and James Watson, settled in the adjoining township of Southwold, northeast of Port Talbot. The provident character of these early settlers is indicated by the fact that they brought in looms for weaving and also cattle which they had driven along the lake shore from the Niagara River to their new home.

Although these were the earliest people to settle under Colonel Talbot's régime, they were really not the first to settle in what is now Elgin County. That distinction would appear to belong to one James Fleming, who is said to have settled on the Thames River front of Aldborough Township in 1796. Fleming appears to have been a boatman with Simcoe on one of the trips which the energetic Lieutenant-Governor made into the western end of his domain, and it was probably his observation of the country at that time which induced him to locate on the Thames River, not far from the Moravian mission station which had been founded in 1791 and which Simcoe visited in the early part of 1793.

The year 1809, in which Talbot secured his first settlers, is also the year in which the first lands were taken up on what is now the site of the city of St. Thomas. Daniel Rapelje and David Mandeville came in from the Long Point settlement, each to receive 200 acres by Order-in-Council of Dec. 7, 1809. The Rapelje family was of Huguenot ancestry, coming to America in 1623. Daniel Rapelje, with his wife and three children, and his brother, Jeronimus Rapelje, emigrated from New York State to Upper

Canada in 1802, locating in the Long Point Settlement. It was May of 1810, when, with their possessions, they landed at the mouth of Kettle Creek and made their way inland to the lands that had been granted to them. The graves of the Rapeljes may be seen today in the cemetery adjoining old St. Thomas Church. The graveyard is itself a part of the old Rapelje property, having been conveyed for its present purposes to Bishop Jacob Mountain, on August 21, 1821, the consideration being five shillings.

The settlement of the district proceeded but slowly. In 1809 there were not more than half a dozen families scattered along the Talbot Road. Pioneers in the settlement included David Secord, Benjamin Willson, Moses Rice and Garrett Oakes. Nor was the district to see any marked growth for some years to come. Already the shadow of war was not far off, and in the struggle that came with the United States the Talbot settlement unhappily lay in one of the paths of invasion.

The "land hunger" that was so large an element in bringing on the war has been given its rightful place by more recent historians of the period. The wasteful agriculture of the American pioneer farmers made it necessary for them to be ever moving to new land. As the land supply of the Ohio valley diminished there were longing eyes cast at the rich agricultural districts of Upper Canada, so well watered, so easily accessible by the water highways and so much nearer markets than the far western lands of the United States.

The north shore of Lake Erie must have seemed particularly attractive to the Kentuckians and others whose clamour for war drowned more moderate voices from eastern States in the Congress at Washington. For some time before the outbreak of war, the newspapers of the west were constantly setting before their readers the character and natural resources of Upper Canada, occasionally mentioning as well the desirability of these lands being a part of the United States. More than one newspaper stated frankly that a war with England would bring Upper Canada as a reward. When hostilities did come and the southwestern part of the province was invaded for a time it is noticeable that Kentuckians were most prominent in the burning and pillaging that went on.

Mention has been made of the Talbot Road. The location and surveying of this highway was one of the most important developments in the history of the settlement, and shows the foresight of Colonel Talbot perhaps better than any other action. The initiation of the road project is generally credited to John Bostwick, who in 1804 obtained a grant of two lots on the lake front at the mouth of Kettle Creek and blazed a trail through the woods to his new lands. John Bostwick was a son of Rev. Gideon Bostwick, rector of Great Barrington, Mass., but had been reared by a surveyor named Hambly who had laid out Aldborough and some other townships.

Bostwick's road building was small compared with that which is associated with the name of Colonel Talbot. In the fall of 1804 the Executive Council at York authorized an expenditure of one thousand dollars on a road through the Talbot lands. Five years later Talbot memorialized Lieut.-Governor Gore, urging continued road building operations and suggesting that a road be opened through the townships of Yarmouth, Houghton and Southwold. Here there were large reserves of school lands set aside about ten years before. This road would link up with that which had been cut through the Talbot lands and each would be more valuable by connection with the other.

In his memorial to the Administration Talbot suggested that the settlers locating along this new road should be under restrictions similar to those which had been imposed in the formation of the Yonge Street Settlement in 1798. Briefly, these conditions were that the pioneer settler must, within two years, clear and fence ten acres, clear and open up one half the width of the roadway in front of his lot, cut down all trees within one hundred feet of the roadway and build a dwelling house at least 15 by 20 feet, occupying it in person or by a *bona fide* tenant. As the lands along the projected highway were really reserved lands, it was suggested that lands of equal extent and value be set aside elsewhere for school purposes.

Talbot's memorial was evidently viewed favourably, for almost at once orders were issued for a surveying party to go to the London district and locate the road. It will be seen that the plan suggested by Talbot would tend to produce a fairly compact settlement, situated along a highway. Transportation would be facilitated and Talbot's military experience may also have indicated to him the defence value of additional roads. Incidentally it tended to increase the value of his own extensive holdings as well as of Crown lands generally nearby. Talbot also believed in selecting settlers rather than giving out land indiscriminately to all who might apply.

The surveyor who was commissioned to carry out the work of opening up this new highway was Mahlon Burwell, who had been recommended by Talbot and who was destined to become one of the historic figures of the district. In 1924 the Historic Sites and Monuments Commission of Canada placed at Burwell's Corners, in the county of Elgin, a cairn on the site where Colonel Burwell erected and presided over the first registry office of Middlesex County. The original commission to Burwell reads in part as follows:

"You are hereby required and directed without loss of time, as soon as the season will permit, to survey and lay out a road to pass through the aforesaid townships upon the principle of Yonge Street, by making the said road in breadth one Gunther's chain, and laying out lots thereon of twenty chains in breadth on each side of the same, leaving a road on the side lines of each of the said townships, and a road between every five lots in each of the same, of one Gunther's chain."

Mahlon Burwell was one of the pioneers of surveying in what is now Western Ontario. The great task of laying out townships, fixing the loca-

tion of roads and marking the bounds of farms was to continue for many years afterwards in this part of the province and to continue in more recent times in the Canadian West. These men with their theodolites and their chains and stakes were the forerunners of settlement and civilization, and the importance of the work they did has never been generally appreciated. They were a part of the heroic pioneering era and they endured hardships, faced dangers and overcame difficulties in a manner that challenges admiration. Mahlon Burwell's work in the Talbot settlement is typical of the surveyor's share in the making of the country. He was instructed to make careful observations with regard to the character of the soil, timber, etc., particularly as to the extent of the pine timber and its suitability for the masts of ships. His remuneration does not appear to have been unduly high. He was to receive 7/6 per day, with an allowance in lieu of rations of 1/3 per day. His party was to consist of two chain-bearers and six axemen, the chain-bearers receiving 2/- per day and the axemen 1/6 per day. Rations for the men were to be at the same rate as for Burwell himself, but this was less favourable to the men than it seemed since the ration allowance had to cover "all expenses whatsoever, such as transport, batteau hire, camp kettles, axes, tommyhawks, tents, bags, snowshoes, etc."

The experiences of the party during the summer of 1809 will give some idea of the difficulties facing the surveyors in the pioneer period of provincial history. By the middle of May Burwell judged that the woods would be sufficiently dry to start operations, and so began the journey from Bertie township westward to the Talbot settlement. His journey day by day is briefly but vividly related in his journal. He went by water as far as Long Point and thence overland, the entire journey occupying 24 days. The weather was bad throughout all the trip. Rain fell heavily day after day and at times progress through the woods seemed almost impossible. Burwell had engaged a boat to take the party as far as possible on their way, but the owner refused to go beyond Long Point and no other craft could be had there, which necessitated going overland the rest of the way. Trees had to be felled to cross swollen streams, and the party were almost constantly wet through. Port Talbot was finally reached after sunset on the evening of the first of June when further difficulties loomed up since neither provisions nor men were to be had. It was necessary for Burwell to return to Long Point and two days were spent in going by canoe. Three more days were occupied in securing men and then the journey to Port Talbot had once again to be undertaken, this time, however, by water. The dangers of the trip may best be understood from the entries in Burwell's journal:

"Friday, 9th June.—Loaded the boat early and rowed against the Wind to the carrying place, or Isthmus of Long Point. We took everything across to be ready in the morning.

"Saturday, 10th June.—Loaded the boat early and rowed against the Wind to Big Otter Creek; the Wind blew hard and we lay by. About six o'clock p.m. it calmed and we rowed up to Catfish Creek by ten o'clock p.m. There was a heavy swell and when entering the mouth of the Creek the Boat had like to

have filled and my Trunk and my Papers got wet, by which some drawing paper was considerably injured.

"Sunday, 11th June.—There was such a violent sea that it was impossible to proceed on the way.

"Monday, 12th June.—The Lake raged most tremendously all day so that we could not move out of the mouth of the Creek. So I searched for the limit between the Townships of Yarmouth and Houghton, on both sides of the creek, but all to no effect.

"Tuesday, 13th June.—Early in the morning I set out with a pretty rough Lake and we rowed hard until two o'clock p.m. when we reached Port Talbot."

It would appear from certain references in Mahlon Burwell's diary that at the beginning he had some differences of opinion with Colonel Talbot, regarding the precise character of the work that was to be undertaken, the Colonel taking issue with the instructions which the chief surveyor had received from the authorities at York. Burwell had the matters in dispute referred to headquarters and eventually Colonel Talbot appears to have found that he was in the wrong.

The whole working period of 1809 and a part of 1810 were spent on this new survey of the Talbot Road East. The work was pushed with all possible diligence but in the face of many difficulties. Supplies could be obtained only in small part at Port Talbot, and by the first of September all the food that had been brought up in June was exhausted. Clothes and shoes were also badly needed by the members of the party. At Long Point, however, conditions were found to be almost equally bad. No food could be purchased and it was necessary for Burwell's men to buy wheat, thresh it themselves and then take the grain to the nearest mill, where, the proprietor being absent, they proceeded to mill it for themselves. Burwell's journal of Sunday, September 10th, says: "I took a Boy and Two Horses whom I had engaged to Pack the Flour and Pork to the Survey on the Old Road, had much trouble on account of Logs, Brush, Briers, etc., but Reached Big Creek." The next day the party reached Houghton, having covered seventeen miles in one day, and there resumed operations, having lost twelve good days in search of food and supplies.

The road that was surveyed in these two years crossed Southwold, Yarmouth and Houghton townships. There were no special difficulties encountered in selecting a route through the first two of these townships, but in Houghton there were natural obstacles to road building in the deep gullies and the swamps. It required both patience and skill to lay out a road through such country but Mahlon Burwell succeeded, the eastern terminus of his operations being in Middleton Township about where the village of Delhi is now located. The southern part of the township of Yarmouth had been surveyed as early as 1799 when the Bâby family received the grant of 5000 acres which otherwise might have come to Colonel Talbot, who had made this location his first choice.

The year 1810 being only partly occupied with the Talbot Road East, Burwell was engaged during the later months in surveying the southern

part of the Township of London, which, at that time, was thought to be particularly suited for the growing of flax.

"I kept a Proof Line in the center of the Township," Burwell notes, "that my Survey might be as correct as possible, on which I Proved every Concession Line that I run, by measuring on the said Proof Line, and can say that the operation is very correct." This road is still commonly known as the Proof Line Road.

In 1811 Burwell was instructed to make a survey of a large area of vacant land situated between Yarmouth and Houghton townships, and which had hitherto been regarded as a part of Houghton. Out of this area two new townships, Bayham and Malahide, were carved and made part of the County of Middlesex. Burwell was much taken with that part of Bayham which lay at the mouth of Big Otter Creek and secured a grant which he proceeded to lay out as a town plot, at the same time urging the government to have an adjoining reserved plot laid out for a like purpose. He was enthusiastic about the future of this little lake port and wrote to the Surveyor-General:

**"Otter Creek discharges more Water than all the small Rivers which disembogue themselves into the North side of Lake Erie, excepting the Grand River. When a few drifts are cleared out of it, Boats may descend from the Mills in Norwich to its mouth, at almost any season of the year. There are beautiful Groves of White Pine Timber, on each side of the Creek, interspersed with Groves of other Timber, alternately; there is therefore no doubt, but what ere long considerable quantities of Lumber will be conveyed down that stream from Norwich and other places to the Lake. It would appear as if Nature had intended the mouth of Big Otter Creek for a place of greater importance than any other in the District of London. In my mind it is highly probable that such will be the case before many years."**

Burwell's dream of a great lake port was never realized. It is today a small fishing village with a summer colony drawn from the nearby towns and cities.

Road building operations are again a feature of the progress of the Talbot settlement in 1811. Prior to this date Colonel Talbot had made representations to the administration with regard to two new undertakings which he felt were much needed. One of these was an extension of his original road westward towards the Detroit River. The other was for a short connecting link of about twelve miles between his road and the Westminster settlement to the north. Both were likely to be of immediate value in facilitating settlement, and with the approval of Lieutenant-Governor Gore and Surveyor-General Ridout orders were issued to Burwell in June of 1811 to proceed with the necessary surveys. These operations occupied the summer months of 1811. At a later date Ridout was surprised to learn that his instructions had been exceeded, and that Colonel Talbot and Burwell had between them surveyed a second road parallel to the original Talbot Road, about ten miles in length and separated from the old road by about two and a half miles. Ridout protested vigorously to Talbot against this high-

handed disregard of instructions, especially as the new road through Southwold cut into lands that were specifically reserved for school purposes, and could only be freed from such restriction by action of the Executive Council. It seemed quite clear that the lots which had been marked off by Burwell were intended by Talbot for settlement whenever the demand for them should arise.

There was correspondence back and forth with regard to the matter and Talbot's defence may be read in a letter of May 23rd, 1812, addressed to James Brock. He laments that he did not secure written authority from Lieutenant-Governor Gore for his action but says that when the instructions to Burwell were received and found to differ from his own plans he communicated with Major Halton, the Lieutenant-Governor's Secretary, and with the Surveyor-General. He quotes from a letter written by Major Halton to the effect that "His Excellency was glad to find that the mistake was rectified in the Surveyor-General's office and that Mr. Burwell had received his instructions agreeably to my wishes." It would appear from Talbot's letter that the actual instructions to Burwell ordered him to take his directions from Colonel Talbot who held that the marshy character of the land through which some of the original Talbot Road led made the new road a necessity.

In the Archives at Ottawa there is a letter from Major Halton to Ridout, dated February 12th, 1811, instructing him to have Talbot Road West surveyed from Southwold to Amherstburg under Colonel Talbot's direction. Permission is given to put back some reserves that may be on this road. Further, "Mr. Burwell to be instructed to run a line for a Road from the Road through Westminster to join Colonel Talbot's Road, as the Ground may best suit for that purpose." Lots were to be laid off similar to those on the original Talbot Road. The dispute over the changes in plans continued to the opening of the War when it was apparently forgotten in the stress of more important matters.

The opening up of the road to the west was of great importance to the district. The work was pushed with vigour in the summer of 1811, so that when work was discontinued early in September the western part of the present township of Howard had been reached. "In surveying the road through Dunwich and Aldborough," Burwell writes, "Colonel Talbot directed that I should begin to number the Lots from his Mills and continue to the westward, which I have done, and also continued numbering them in succession as far as the survey extends at present; without regard to the Townships through which they pass."

Burwell, who had at an earlier date been a resident of Bertie Township, had by this time either become a resident in the Talbot settlement or was about to become so, a small plot of ground on the 11th Concession of Dunwich being granted to him by Colonel Talbot in February, 1812. Here he settled and later built the house in which he resided for a third of a

century. Here, too, was located the first registry office for Middlesex, the place being known as Burwell's Corners. Not far away is the quiet little churchyard in which he was buried in 1846 at the age of sixty-three.

In the same year in which he settled in Dunwich he was elected to the Upper Canada Assembly as the representative of Middlesex and Oxford. During the War of 1812 he held the rank of Lieutenant-Colonel of militia, and in 1814, during a raid by the Americans, he was taken prisoner and held for some time. In one of the later raids his buildings were destroyed. After the war he was re-elected to the Assembly in 1816 and again in 1820, was defeated in 1825 and 1828, was elected for Middlesex in 1830, defeated in 1834 and in the stormy election of 1836 became the first representative of the town of London. It would appear to have been his ambition to found a landed family and with this object in view he memorialized the government in 1829 for permission to extinguish his claims to land in various blocks and receive in exchange one large solid block of land on Lake Huron, adjoining the southern boundary of the Canada Company's holdings. No action appears to have been taken on this and Burwell himself was a much less conspicuous figure after the troubles of 1837 had cleared away.

The surveys carried out by Burwell provided Colonel Talbot with an abundance of land upon which to locate settlers. It was, indeed, a regular principality that was under his control and gradually he took to himself powers of regulation of settlement that were never contemplated when the original arrangements were made. From time to time there came under his superintendence more than a score of townships in southwestern Ontario, situated along the Talbot Road as far west as the Detroit River and along the Thames River. His policy of retaining intact his original grants had a serious effect upon the settlement of the two townships of Dunwich and Aldborough, as may be seen by reference to figures of population at as late a date as 1845. At that time Aldborough had about 700 people with 3,500 acres under cultivation. Dunwich, with about the same number of people, had a smaller area under cultivation. Southwold, immediately to the east, had at the same time 16,000 acres cultivated, five times as much as Dunwich, and its population was 2,300 or more than half as large again as the two original Talbot townships.

The jurisdiction of Colonel Talbot was not uniform throughout the townships with which he was connected in an official way. He had only a minor jurisdiction as to the location of settlers in any township north of the Thames River, except in the township of London. He had nothing whatever to do with Delaware and along the Longwoods Road he located settlers only in Mosa, Ekfrid and Caradoc.

In the settlement of the township of Westminster, which lies between London and St. Thomas and is now part of the county of Middlesex, Colonel Talbot encountered a troublesome, and later a dangerous, rival in one Simon Zelotes Watson. Watson was an American engineer who had

secured from the provincial administration authority to lay out a road in Westminster and place settlers from Lower Canada upon it. From these incoming settlers he was given permission to exact a fee of one hundred dollars for his trouble, and Colonel Talbot was to certify as to their fitness and general character. At first there seems to have been a friendly co-operation between the two men but Talbot took another attitude when he learned that Watson contemplated bringing in about three hundred settlers from the United States. He announced that this would not be allowed, and from that time there was an antagonism between the two. There were interviews and there were letters, both stormy at times, but in the end Talbot, who had the ear of the Executive at York, won and Watson was informed that only settlers from Lower Canada might be brought in. His plans were ruined and he seems also to have become embittered over the affair. He joined the Americans in the War of 1812 and was with one of the invading detachments which penetrated to the Westminster settlements during the conflict. He barely escaped capture himself on that occasion.

Though Colonel Talbot's viewpoint was at times narrow and prejudiced there is much that is commendable in his general policy of settling the country in which he was so interested. In a lengthy letter, written to Sir John Colborne in 1831, he speaks of his earlier efforts in this way: "I was the first person who exacted the performance of settlement duties, and actual residence on the land located, which at that time was considered most arbitrary on my part, but the consequence now is that the settlers that I forced to comply with my system are most grateful and sensible of the advantage they could not otherwise have for a length of time derived by the accomplishment of good roads, and I have not any hesitation in saying that there is not another settlement in North America which can, for its age and extent, exhibit so compact and profitably settled a portion of the new world as the Talbot Settlement."

There was much truth in this statement. Colonel Talbot was zealous to place settlers on the land and to have them succeed in their undertaking. He required the settler to open half of the road in front of his lot, to clear a tract of land within a given time, to build a house—in other words, to show industry, enterprise and a willingness to comply with regulations. As far as the settler's relations to the Government offices at York were concerned, he showed but little interest. As was very vigorously pointed out in a memorial which the provincial authorities finally sent to the British Government, Colonel Talbot had gradually assumed not only the actual placing of settlers but also a supervision of their labours and of the fulfilment of their engagements. He was careless, however, in the collection or remittance of patent fees on lands which were a part of the provincial revenue, so much so in fact that in 1817 it was reported that he had failed to send in upwards of £4,000 of such fees then owing to the province.

His whole system of dealing with settlers was unique and had in it some features of the Torrens system, familiar in some of the newer parts of Canada. The Colonel was supplied by the department of Crown Lands at York with copies of the surveyors' maps of the townships open for settlement. On these each lot was plainly marked. When a lot was granted to an applicant it was the custom of Colonel Talbot to write the name of the settler on the map before him, using a lead pencil. That was, for the time being the only record existing of the settler's right to his land, and it continued the only record until the settlement duties had been complied with, road work done, land cleared and a house built. Then a certificate was issued setting forth these facts and the settler might apply for the patent to his land. Many of the settlers, however, were quite content to go on year after year with nothing more than the certificate, in this way avoiding the payment of government fees.

This primitive method of registration had another side to it. If the settler failed to live up to requirements a rubber eraser could quickly and effectively remove his name from the map and thus leave the land to be granted to another. If a settler sold out to another while still fulfilling his settlement duties it was also quite easy to erase one name and substitute another. Generally speaking, there was nothing unsatisfactory to most of the settlers in such a system but from the standpoint of the government the failure to collect or remit patent fees was an abuse. The original maps upon which Colonel Talbot marked the names of his settlers may still be seen in the Crown Lands Department at Toronto, most interesting relics of the beginnings of settlement in southwestern Ontario.

Closely linked in general interest with his system of registration is the record of Colonel Talbot's methods in dealing with those who came to his castle by the lake seeking land. The house itself was described by several distinguished visitors, and Mrs. Jameson's description, written in the 'thirties, may suffice:

"It is a long wooden building," she writes, "chiefly of rough logs, with a covered porch running along the south side. The interior of the house contains several comfortable lodging rooms; and one really handsome one, the dining room. There is a large kitchen with a tremendously hospitable chimney, and underground are cellars for storing wine, milk and provisions. Around the house stands a vast variety of out-buildings, of all imaginable shapes and sizes, and disposed without the slightest regard to order or symmetry. One of these is the very log-hut which the Colonel erected for shelter when he first 'sat down in the bush' four and thirty years ago, and which he is naturally unwilling to remove. Many of these out-buildings are to shelter the geese and poultry, of which he rears an innumerable quantity. Beyond these is the cliff, looking over the wide, blue lake, on which I have counted six schooners at a time with their white sails; on the left is Port Stanley. Behind the house lies an open tract of land, prettily broken and varied, where large flocks of sheep and cattle were feeding—the whole enclosed by beautiful and luxuriant woods, through which runs the little creek or river above mentioned. The farm consists of six hundred acres; but as the Colonel is not quite as active as he used

to be, and does not employ a bailiff or overseer, the management is said to be slovenly, and not so productive as it might be. He has sixteen acres of orchard ground, in which he has planted and reared, with success, all the common European fruits, as apples, plums, pears, cherries, in abundance, but what delighted me beyond everything else was a garden of more than two acres, very neatly laid out and enclosed, and in which he evidently took exceeding pride and pleasure; it was the first thing he showed me after my arrival."

To this abode on the shore of Lake Erie there came for more than a generation men and women of all types, but chiefly there came the immigrants to Canada, seeking land. Their experiences in dealing with the eccentric Colonel have been handed down in a great body of tradition and these experiences have, more than anything else, contributed to the popular conception of Colonel Talbot. In earlier days nothing out of the way marked his dealings with the new-comers, but as they became more numerous, more insistent and more independent, his manner of dealing with them changed entirely. It was his practice to "size up" each applicant who appeared before him. Blunt questions were put in order to determine whether or not the stranger would be likely to succeed. If the answers were satisfactory the applicant's name would be written on the map, probably on a lot fronting on one of the main roads. Those who made a poorer impression were likely to be assigned to more remote locations, farther away from mills and other conveniences. In such a system there was room, of course, for caprice and injustice at times. Nor was it likely that men who had undergone hardship to make their way to this new land would always tamely submit to what might appear to them as injustice. Among the traditions that have been handed down is the record of one Duncan Patterson, who, having been refused a location that he desired, threw Colonel Talbot to the ground and held him there until he had exacted a promise that he would be given the desired lot. Even to this day, the memory of Duncan Patterson is held in high repute among the descendants of the Scottish pioneers in Elgin county.

It may have been unpleasant experiences of this sort which finally led Colonel Talbot to cease meeting the applicants face to face and induced him to take refuge behind a sliding window whenever an applicant appeared. Jeffrey Hunter, his faithful servant and personal attendant, was always on the look-out for strangers, and would warn the Colonel so that he could take refuge behind the sliding shutter. When the new-comer presented himself the forbidding countenance of Colonel Talbot would appear with the customary demand "What do you want?"

Then would follow the plea of the prospective settler, the questioning by the Colonel, the final decision and the communication of the same to the waiting applicant. The decision might be that he was to have a grant close to the original settlement. On the other hand, it might involve a further journey only to find a lot assigned that was swampy and would require drainage to be of any use. Another trip to Port Talbot might be neces-

sary, another interview even more brusque, before satisfactory land was secured.

Sometimes the new-comer might be disposed to argue with the figure behind the window. Then the shutter would be closed and the faithful Jeffrey might even be directed to set the dogs on the obstinate applicant.

Mrs. Jameson has left us a glimpse of the stream of land-seekers who came to see Colonel Talbot. "On leaving my apartment in the morning," she writes, "I used to find groups of strange figures lounging around the door, ragged, black-bearded, gaunt, travel-worn and toil-worn immigrants, Irish, Scotch and American, come to offer themselves as settlers. These he called his land pirates, and curious and characteristic and dramatic beyond description, were the scenes which used to take place between this great bashaw of the wilderness and his hungry, importunate clients and petitioners."

The figure of the faithful Jeffrey Hunter deserves passing mention. For many years he served his irascible master, acting as valet, guard and confidant. Today the graves of Hunter and his wife are to be seen in the old cemetery at Tyrconnell where Colonel Talbot and others connected with the settlement are also buried. Mrs. Jameson makes a humorous reference to the break which Hunter made with his master when he married. "The Colonel swore at him for a fool," we are told, "but after a while Jeffrey, who is a favorite, smuggled his wife into the house; and the Colonel, whose increasing age renders him rather more dependent upon household help, seems to endure very patiently this addition to his family, and even the presence of a white-headed, chubby little thing, which I found running about without let or hindrance." Later on, the Colonel settled a small property on Hunter and for a time, in his advanced years, resided in the home of the widow of his old retainer for whom, at his death, he provided an annuity of £20.

Contemporaries of Colonel Talbot have made some mention of his interest in the observance of religion among his earliest settlers, but it is difficult to view with any seriousness his reported weekly marshalling of the settlers, or as many of them as would come, for the reading of a portion of the service of the Church of England. All the traditions of this practice, with its flavour of garrison life, mention a special inducement to attend in the practice of passing around the whiskey as soon as the service was over. The earliest Anglican church in the settlement was not erected until the twenties so that there might be some reason for an occasional observance of religious forms, even by Colonel Talbot. In later years he showed no interest in the church or in religion. He was scarcely on good terms with clergy of the Church of England, while for those of other denominations he showed contempt. Only occasionally did he contribute to any church funds. In the early days of the settlement, he was occasionally

called upon to perform a civil marriage ceremony, and a few certificates of such marriages have been preserved.

Such religious life as existed in the pioneer era of the Talbot settlement was probably chiefly kept burning by the "saddle-bag" preachers of the Methodist body. Here, as in the frontier life of other communities, their ministrations held an important place among the settlers. While the other denominations tended to wait until there were sufficient settlers to create a demand for the offices of religion, the Methodist missionaries sought out the individual settlers scattered over the country and ministered in their own way to the needs. As early as 1801 there was a regular Methodist missionary in the Long Point district, to the east of the Talbot settlement. This was the famous Nathan Bangs who had come to Canada as a surveyor in 1799 but had been led into the active work of the Methodist body a year later, chiefly through the influence of his sister. In 1802, while labouring in the Long Point settlement, he received a letter from a German settler, named Messmore, living near the present site of Chatham, imploring him to come in and minister to the people scattered here and there in that part of the country. At the New York Methodist Conference of 1804 he was assigned to the Thames Valley field and on August 12th, 1804, preached the first Methodist sermon ever heard in the district west of London. It is altogether likely that Bangs traversed the Talbot settlement in his work and there may also have been ministrations by Rev. George Neal, better known as Major Neal. He had come to the Niagara district in 1786 and began preaching wherever he could gather together a few people who would listen. About 1813 he removed to the Long Point settlement, purchasing a farm near the present village of St. Williams. He died in 1840 and in 1912 a memorial church was dedicated at the village of Port Rowan where his remains and the remains of his faithful wife rest beneath a memorial window.

Though much has been written and much has been said concerning the work of Colonel Talbot in the building up of the settlement which bears his name, the greater credit is due to the pioneers whose labour unceasing through year after year transformed the character of the country from dense forest to productive fields. Of the humble men and women who lived and died amid toil and hardship there are few annals but their work will never be forgotten.

The settler who arrived in the Talbot district and was given a piece of land had, as his first task, the making of a small clearing and the erection of a shelter of some kind. In size the house or shanty might be no larger than about twenty by fifteen feet. It was frequently constructed of basswood, with cedar at the foundations and under the floors. Spaces between the logs were closed by small blocks or strips of wood and plastered with clay. One door and one or two windows gave entry and light and a rough fireplace of stones or timber plastered with clay provided for heating and cooking. An

even more crude structure, sometimes built into the side of a bank, provided stabling for live stock in winter. Furniture and tools were likely to be home-made in view of the difficulty of bringing in supplies from the outside. Wood being abundant it was used wherever possible in the making of implements, even plows being only shod with iron.

Clearing the forest was a constant labour decade after decade. It was not always necessary to clear the land of trees before beginning to plant; indeed, if this had been necessary, many of the settlers would have starved before they could harvest their first grain. The forests were usually free from undergrowth except in swampy tracts and by girdling the big trees, that is cutting from each tree a ring of bark to prevent the flow of the sap, the trees were killed and there were no leaves to obstruct the sunlight. In between the dead trees, in the rich mould produced by the rotting leaves and vegetation, the seed was sown and the first crop harvested. The dead trees were burned as they stood when they had dried out sufficiently and the great quantities of ashes produced were used to make lye and potash or even pearlash, the more purified form. Potash, the by-product of clearing the forest, was of commercial value and was bartered for other articles needed in pioneer life. The forest was at once the enemy and the aid to opening the country. Throughout the whole year, except in the time of planting or harvest, it was necessary to be engaged in some kind of clearing operations. In the early spring, before the sap began to rise, the trees were girdled and other trees, cut down during the winter months would be hauled to a saw-mill or, more laboriously, hacked into board form with an axe. Rails which had been split during the winter would be hauled out and used to build the "snake" fences that are still a familiar sight in rural Ontario. Stumps would be taken out of fields where the trees had been removed. In the summer, as opportunity came, logs were prepared for the mill and buildings erected. The fall was much occupied with the harvesting and threshing of grain but as winter approached the battle with the forest was again undertaken and the ring of the axe was the sound which more than anything else indicated the advance of civilization.

Rye and wheat were the two grains chiefly grown. After the hay crop had been cut, there were busy times until the grain was harvested and sheltered in some way. One of the early forms of shelter for the sheaves consisted of a light but durable roof of some kind supported at the four corners by four posts fitted with stout pins that could be put into holes bored in the posts. The roof could be raised or lowered as desired, according to the extent of the crop harvested. This primitive system still obtains in the Baltic regions and in some other parts of Europe. Later on, when sawn lumber was more easily obtained, frame barns began to appear throughout the Talbot settlement superseding the movable roof system.

Corn and pumpkins and the root crops were gathered in during October and the vegetables, and fruits as well, which were needed for the winter were stored in straw-lined pits covered with earth. At a depth of two or

three feet beneath the surface the contents of the pits were not injured by the frost and furnished a food supply in the very best condition during the winter months.

In addition to the necessity of laying up a supply of food for the winter, it was necessary also to provide warm clothing. Furs of the more common sort were easily obtainable and much in use. Both woolen and linen fabrics were made by the pioneer women and also a combination of the two known as "linsey-woolsey." The preparation of flax for the making of linen was a rather lengthy process, beginning with the pulling of the ripening flax during October while the seeds were not quite ripe. This was left out in the fields, in the rains, to rot so that the fibres needed could be separated from the useless portion of the plant. At the beginning of winter the flax was taken up and dried after which, at convenient times, it was broken up with a mallet. The valuable fibres were separated out, spun into threads and during the winter woven into garments.

The wool was cut from the sheep in the spring and after being carded or combed into loose rolls of twelve to eighteen inches in length was spun into yarn. This would be woven into cloth or knitted into garments of various kinds. Women of the pioneer households had no lack of occupation. They were accustomed to helping in the fields, at harvest time particularly, in addition to their household duties which included weaving and spinning and endless knitting of garments for the men engaged in the strenuous work of clearing the land. As time went on and pedlars began to make their rounds with packs on their backs, some lighter and finer cloth made its appearance but the home-made article was long in being displaced. In some cases farmers tanned their own leather and garments made from this were useful in the rough work that had to be done. Shoes were frequently home made and almost every pioneer farmer could mend his own shoes. Had he not been able to do so, he would frequently have had to go bare-footed.

The fare was rough but wholesome. There was abundance of game, and fish in the rivers and creeks as well as in the lake. Wild ducks, geese and turkeys were common, and salt pork, carefully put away in the fall, was a standard winter food in most farmhouses, as well as being a commodity that could be sold or bartered for other commodities. In the spring the maple trees were tapped and the sap made into syrup and sugar. Cane sugar did not appear for many years and was regarded as a luxury. Salt was a necessity and sometimes long journeys had to be undertaken to secure a supply. It was necessary also to make long journeys to the mills with grain in order to secure flour. The difficulty which Mahlon Burwell encountered in this respect in the summer of 1809 has already been mentioned and was probably the experience of many another who ran short of provisions.

Yet, amid all the toil and hardship of pioneer life there was the element of joy and happiness that comes from sound social relations. Family life was close and intimate, community life meant more than it does in more developed communities. No one could live to himself and co-operation was

no theory but an accepted policy. In the clearing of forest, the planting and harvesting, the raising of buildings, the shearing of sheep and in many other activities it was customary for men to work in groups. This had a social as well as an economic value. It brought men into contact who were separated by the nature of their individual tasks. Work was made lighter by companionship. A certain amount of educational value might even be found in the quickening of mind by contact with others.

Many of the gatherings for some co-operative effort took on a distinctly social character. In the fall of the year there were "bees" for all sorts of work, corn-husking, barn-raising, logging and many other necessary activities. The refreshment for those who took part was the housewife's contribution and they vied in spreading their tables just as they do today in the time of year when the threshers are making their rounds. The "bees" furnished much of the social life for the young people who could frolic and dance and make friendships that in many cases were cemented into more lasting unions. There was not much time for formal visiting in those early days and even the social gatherings just described were featured by their thrifty purpose.

Such was the life that was being developed through the southwestern part of the province wherever a small community was in process of organization. Settlers in the Talbot district were few but that very fact made it the more necessary that each should help the other. There were occasional civic duties to be performed, attendance at a court perhaps, casting a vote in an election, some rudimentary military duties possibly. A civilization was emerging from the wilderness, though the process seemed exceedingly slow. Soon there was to be a setback, for the relations of Great Britain and the United States were becoming more and more strained through the developments of the wars with Napoleon. Moreover, a wild frontier element in the new American west was casting envious eyes at these unoccupied lands in Upper Canada which might be wrenched away from the old enemy, England. There is very little in the correspondence of Colonel Talbot which has survived to indicate expectation of war. On the 12th of February, 1812, he was appointed Colonel commanding the first Regiment Middlesex Militia and at the same time Samuel Edison was made a Captain, this Edison being the grandfather of the Thomas Edison whose inventions and discoveries in the field of electricity have made him a world-famous figure.

Colonel Talbot was in command of the militia of the London and Western Districts during the war but shared in no conspicuous exploit. As in the earlier Napoleonic wars his work was of the routine character, necessary but not likely to bring any fame. He was present at the battle of Lundy's Lane and had considerable to do with the forwarding of supplies. In his absence from Port Talbot the place was devastated by the invaders and the work of years wiped out. It might seem as if the Talbot settlement in which its founder took such justifiable pride was ruined, but it was really only the end of one chapter in the history of the settlement. After the war there was to rise a greater settlement in which Colonel Talbot would continue for many years the dominant figure.

## CHAPTER VI.

### THE RISE OF OPPOSITION.

Writing to Sir Henry Clinton on October 26th, 1804, Mr. Russell said: "We have lately suffered a most serious misfortune to the Province in the loss of one of the King's vessels which sailed from hence on the evening of the 7th instant, with Mr. Justice Cochrane, the Solicitor-General, a member of the Lower House of Assembly, a magistrate of this District, a merchant of the town, and four other responsible persons, with their clerks and servants, for the town of Newcastle, about 100 miles down the lake, in order to try an Indian (who likewise was on board) who had murdered a white man in that District. And as she did not arrive at her port and nothing has been heard of her since, it is concluded that she must have foundered in a violent storm which happened on the 9th following, and that every person on board perished."

The vessel was the *Speedy,* Captain Thomas Paxton. Those on board besides Mr. Justice Cochrane, were Angus Macdonell, Member of the Assembly for York, Robert I. D. Gray, Solicitor-General, Mr. Fishe, the High Bailiff, two interpreters, Cowan and Ruggles, Mr. Herchmer, a merchant of York, and the prisoner, named Ogetonicut. The Indian's brother some time before had been killed by an unknown white man. Following the old-time natural law of blood-vengeance, Ogetonicut killed John Sharp of Ball Point, on Lake Scugog, and took refuge with his tribe. The whole tribe paddled to York, and the Chief handed over the offender for trial. Since the offence had taken place in the Newcastle District the trial had to be held at Newcastle and the Lieutenant-Governor insisted that there must be no delay. All those directly concerned in the case, save William Weekes, the barrister, sailed on the *Speedy.* Judge Cochrane was only 29 years of age. Mr. Gray was one of the really distinguished men of the colony. He left 200 acres of land to his colored body-servant, John Baker, who died at Cornwall in 1871, the last of all who had been slaves in the Province. One wonders if Cowan the interpreter was that Cowan visited by Governor Simcoe at the mouth of the Severn; the lonely fur trader.

Dr. Scadding intimates that Angus Macdonell, the brother of Alexander, and the Member for Durham, Simcoe and East York, was the Sheriff when he was lost in the *Speedy* in October, 1804. But in *The Gazette* of September 7th, there is a Sheriff's advertisement signed by Joseph Willcocks. Alexander Macdonell resigned the office of Sheriff in August, 1804, as he had been appointed agent of Lord Selkirk, his brother. Angus Macdonell was a lawyer and Treasurer of the Law Society. There is a family tradition that he was Attorney-General, but that office was held at the time by Thomas Scott, afterwards Chief Justice.

On November 4th, 1797, the Duke of Portland had written to Hon. Peter Russell declaring that the King was anxious to promote education in Upper Canada, first by the erection of free Grammar Schools wherever they were needed and called for, and secondly by the establishment in course of time of seminaries of a larger and more comprehensive nature for the promotion of religious and moral learning and the study of the arts and sciences. Russell reported on February 12th, 1799, that a house in Newark built by Hon. D. W. Smith had been offered for sale to the Government to serve as a free Grammar School for the Home District. In due time the authorities in England intimated that the purchase might be advisable and suggested that the money be taken from "the school and college fund." It was thought desirable also by the British Government that the school should be administered by a Board of seven trustees. Four of these should be the Lieutenant-Governor, the Lord Bishop of Quebec, the Chief Justice of the Province and the Speaker of the Legislative Assembly. By the time this letter, dated March 18th, 1800, had reached York General Peter Hunter, the newly appointed Lieutenant-Governor, had arrived in Canada and had taken over the administration. He wrote to the Duke of Portland on September 1st, 1800, declaring that there were two objections to the purchase of the Smith house for a Grammar School; first, that it would be under the guns of the American fort at Niagara, and secondly, that there was no money in the "schools and college fund." Lands had been set aside for this purpose but the price was so low that sales at that time would not be advisable. Almost a year later Smith wrote to Governor Hunter expressing his disappointment that the house had not been bought as a school, and intimating that he might reduce the price quoted. Ultimately the Government acquired the building, at a cost of about £2,250, for officers' quarters, but education was no further advanced.

On March 3rd, 1806, the Legislature passed an Act to procure certain apparatus for the promotion of Science, by which £400 was appropriated for the purchase of a collection of instruments suitable and proper for illustrating the principles of Natural Philosophy, Geography, Astronomy and the Mathematics, to be used as the Governor should direct. His Excellency was given the power to deposit the instruments under such conditions as he should deem proper and expedient in the hands of some person employed in the education of youth, in order that they might be as useful as the state of the Province might permit. In the next year, on March 10th, 1807, £800 per annum was granted for the establishment of District Schools at Sandwich, Townsend Township (Norfolk), Niagara, York, Hamilton Township (Northumberland), Kingston, Augusta Township (Grenville), and Cornwall. The Home District School at York was opened by Rev. George Okill Stuart on June 1st, 1807. Up to that time the only Secondary schools in the Province had been one at Kingston, opened by Rev. Mr. Stuart in 1800, and that conducted at Cornwall since

1803 by Rev. John Strachan. By the Act of 1807 the Trustees of the proposed Grammar Schools were to be named by the Lieutenant-Governor. They were given authority to make rules and regulations for the government of the schools, but their appointment of school teachers was subject to the Governor's approval. The grant was £100 for each school. Thirty-five years later Sir John Beverley Robinson in speaking at the corner-stone laying of King's College declared that the Province was indebted for the Grammar School Statute to the suggestion and the earnest insistence of Rev. Dr. Strachan. His school at Cornwall was officially designated as the one for the Eastern District, and Rev. Mr. Stuart's at York, for the Home District. The Trustees named by Governor Gore were as follows:

Eastern District
Samuel Sherwood
Neil McLean
Samuel Anderson
Joseph Anderson
John Crysler
Alexander McMillan

Midland District
Hon. Richard Cartwright
Rev. Dr. Stuart
Allan McLean
Joseph Forsyth
Thomas Markland
Peter Smith
Alexander Fisher
Philip Dorland

Niagara District
Hon. Robert Hamilton
Col. Clark
William Dickson
Robert Kerr
Thomas Cummings
James Muirhead
John Symington

Western District
Hon. James Bâby
Rev. Mr. Pollard
Matthew Elliot
Angus McIntosh
John Askin, Sr.
Gregor McGregor
Alexander Duff

Johnstown District
Thomas Sherwood
Ephraim Jones
Solomon Jones
James Campbell
Elijah Bottom

Home District
Rev. George Okill Stuart
D'Arcy Boulton
John Small
Duncan Cameron
Samuel Smith
William Graham
Thomas Ridout

London District
Thomas Talbot
Samuel Ryerse
Joseph Ryerson
William Hutchinson
Thomas Walsh
John Coltman
Daniel Springer

Newcastle District
Asa Burnham
Leonard Soper
Elias Smith, Sr.
Elias Jones
John Peters
John Bleeker

The Trustees were the cream of the country but they were not always able to secure teachers of the proper quality; few of the high ability of Dr. Strachan and Mr. Stuart were to be found. Besides, the people were uneasy because no provision was made for primary common schools. Only the rich could afford to patronize the institutions established.(*)

*Robert Gourlay in 1817 reported that only six of the eight District Grammar Schools were open. The teachers then were Johnstown District (at Brockville) Rev. John Bethune; Midland District, Rev. John Wilson; Home District, Rev. Dr. Strachan; Niagara District, Rev. John Burns; London District, Mr. James Mitchell; Western District, Mr. Merrill.

There was a strong desire on the part of the British authorities both in England and Canada to stimulate the production of hemp to be used in making cordage for the Royal Navy in the hope that dependence upon the Russian supply might be lessened. Both in Lower and in Upper Canada seed was distributed free and instructions were issued to farmers for the preparation of the fibre for market. The Montreal Committee engaged to pay nine pence per pound for good clean hemp equal to Russian samples on view. The proposal was not economically sound, considering that the Russian industry was built on serf labour and remembering the elaborate treatment necessary to ensure a good fibre. Moreover the arrangements under the Upper Canada Government were by no means perfect. Many farmers who grew hemp had occasion to regret it and became critical of the Administration in consequence.

At the General Election for 1804 the successful candidate for the widespread riding of Norfolk, Oxford and Middlesex was Benajah Mallory. His election was contested by a petition from Samuel Ryerse, the defeated candidate, presented to the Assembly on February 21st, 1806, more than a year after the election. A quotation from this petition follows: "Your Petitioner comes forward to state to Your Honourable Body that the said Benajah Mallory has been illegally and unduly returned, being by the 31st of His Present Majesty rendered ineligible to a seat in the Parliament, having both before and since the election been a preacher and teacher of the Religious Society or Sect called Methodists,(*) all of which your petitioner is ready to verify and is ready to give any security Your Honourable House may deem necessary." The hearing was traversed to the next Session when two material witnesses failed to appear. In consequence the petition was dismissed by a vote of 6 to 4.

Benajah (or Beniah) Mallory was a figure of importance in the Province during the decade preceding the war. He was one of the first American settlers in the Township of Burford, owning 800 acres along the stream near the present village of Burford, and 400 more, north and west, in the neighbourhood of Cathcart. One grant of Lot 2, Concession 4, Burford, was made October 16, 1798. He was a Captain of Militia and organized the first Militia Company in the Western portion of the Province. There is reason to believe, from fragments of his correspondence published in the *History of Burford* (Muir) that he was eager for the distinction of Deputy-Lieutenant of the County of Oxford, under William Claus, the Lieutenant. This same correspondence reveals Mallory as a natural leader of men, for he had a complete plan of organization drafted for the guidance of the Lieutenant and was not backward in setting down recommendations for the appointment of suitable officers. His expectations were disappointed. Another man was named Deputy-Lieutenant and Mallory transferred his interest from military affairs to politics, becoming a critic of the Administration.

*In 1801 and following years Mallory had a tavern license in Burford.

Lord Selkirk's diary of his journey through the Province in 1804 has this to say of the First Citizen of Burford: "Mallory is on a creek with fine meadows. He keeps a large stock of cattle, fifty head or more —20 cows—but he lost ten or twelve last winter. He has contracted to supply Government garrisons and sent, he says, last year or before, 20,000 pound from his own stock; about forty head. Mallory is candidate for the representation of the District of London, and electioneering here seems to go on with no small sharpness. His adversaries threw out some allegations to which he replied by the lie direct, and he alleges they pursued him with a view to assassinate. Mallory has built a good frame house and inclosed a garden with a picket fence six or seven feet high. Fifty or sixty rod have cost, he said, about $100."

Clearly he was a man of substance; that he was also popular in the district was proved by his election, despite the Ryerse interest. Early in January, 1805, before he had yet taken his seat a mob attacked his house at night and fired guns at the windows. The case was so flagrant that the Executive Council offered a reward of $400 for the apprehension of any engaged in the *émeute*. There is no indication that any of the offenders were captured.

From his entry into Parliament Mr. Mallory was prominent. The Journals of the House continually mention him as a mover of resolutions or as a Chairman of Committee. Generally he was in opposition, co-operating first with William Weekes and then with Mr. Justice Thorpe. He was re-elected in 1808 and for the whole of that Parliament continued in hostility to Governor Gore and the officials of Government.

At the bye-election caused by the death of Angus Macdonell, William Weekes was returned for East York, taking his seat in the Assembly on February 27th, 1805. (He was the first law-student called to the Bar by the Law Society,—too hastily, Governor Gore believed—and was living in York in 1799. This was Joseph Willcocks's friend.) On the very next day he gave notice of a motion that it was expedient to enter into the consideration of the disquietude which prevailed in the Province by reason of the administration of Public Affairs. When the resolution came up for discussion it was voted down by 10 to 4, but the new Member was not quelled. In the Session of 1806 he was most active as an opposionist, particularly with respect to the disposition of money collected by taxation. He drafted an Address to Administrator Grant(*) presented on March 1st, 1806, to the effect that the first and most constitutional privilege of the Commons had been violated in the application of moneys out of the Provincial Treasury to various purposes without the assent of Parliament or

*General Hunter died in Quebec on August 21st, 1805, and Hon. Alexander Grant was appointed on September 11th as Administrator. The Council which named Grant was called at the motion of Hon. Peter Russell. Mr. Russell wrote to the Minister reporting the choice and reminding him that he himself had filled the position for four years, but he was prepared to forward the King's service to the utmost of his ability, though naturally feeling the mortification at being called to act in a situation so subordinate to that he had formerly occupied. Grant at the time of Governor Simcoe's arrival had been senior naval officer on Lake Erie having held that office since the Conquest. He resided at Detroit and was generally known as 'the Commodore.

a vote of the Commons House of Assembly. The amount was £613 13s 7d, and the Address called for its replacement in the public chest. The Administrator in his reply said that the money had been undoubtedly applied to purposes useful and necessary for the general concerns of the Province, but as he was desirous of giving every reasonable satisfaction to the House of Assembly he would order an immediate investigation "and if there has been error in stating the amount, take measures to have it corrected and obviated for the time to come." In 1807 the Assembly formally relinquished the claim, since the new Governor Francis Gore (arrived on Aug. 26, 1806) said in his first speech: "I have given instructions that the unappropriated sums of money raised under the authority of this Parliament taken out of the Provincial Treasury and applied to the payment of certain public contingent expenses in the year 1805, shall be replaced."

Weekes was a restless and malign spirit. In 1806 while engaged as counsel in a court case at Niagara he went out of his way to make a vicious attack upon the former Governor, General Hunter and his associates. He called Hunter "a Gothic barbarian whom the Providence of God has removed from this world for his tyranny and iniquity." William Dickson was engaged with Weekes as associate counsel in the same cause and followed him in support of the question before the Court. Before concluding his argument he said that he considered it his duty as a gentleman and a lawyer to protest against the statements of Mr. Weekes, which he believed originated in personal malice and malevolence. The subsequent proceedings are thus reported by *The Albany Gazette*:

"Unfortunately Mr. Weekes spent the following day (Tuesday) and night with a party at a tavern in the country. On Wednesday a man caling himself Major Hart was sent by Mr. Weekes with a message to Mr. Dickson insisting on his making such an apology as Mr. Weekes might dictate, and that this should be read in open court, or that he should give him satisfaction in another way. The first was inadmissible, but Mr. Dickson recurring to the alternative which he highly disapproved made through a friend a proposition to Mr. Weekes that if he would state in the Court that the language made use of on a former day was only to support the cause he was engaged in and had nothing personal against the character of the late Governor—that he, Mr. Dickson, would in the same free manner declare his sorrow for having misunderstood him. This being absolutely refused they agreed to meet. As no gentleman could be found who would associate with Major Hart he was set aside and Mr. John McKee went in his place. Dr. Kerr, a son-in-law of Sir William Johnson, accompanied Mr. Dickson. They met on the American side of the River near Fort Niagara at 7 o'clock in the morning of Friday, 10th October. At a distance of twenty yards they fired nearly together. Mr. Weekes missed his aim, but Mr. Dickson's ball entering Mr. Weekes' right side went through his body. He died about twelve o'clock the following day.(*) Public opinion was

*Fifteen years after the death of William Weekes an Act was passed providing for the administration of his will. He had directed that after payment of his debts his estate should go towards the erection and foundation of an academy at York, and had named John McKay and Charles B. Wyatt as trustees. McKay died, and Wyatt, the former Surveyor-General, was in England and showed no signs of fulfilling the trusteeship. Accordingly Parliament appointed substitute trustees in the persons of Rev. Dr. Strachan, John Beverley Robinson and Henry John Boulton. The Statute is chapter 22 of 1822. The newly appointed executors found no estate to administer.

strongly in favour of Mr. Dickson and as the duel had occurred on American soil no legal proceedings appear to have been taken in the matter.

One of the intimates of Weekes was Robert Thorpe, a Judge of the Court of King's Bench who came to Upper Canada in 1805. He had been Chief Justice of Prince Edward Island but had quarrelled with the Governor and was removed to fill the place rendered vacant by the drowning of Judge Cochrane in the *Speedy*. He was an Irishman, with all the sublime self-confidence and "temperament" of his race and his course of action may have justified Governor Gore's accusation against him of being a "factious demagogue." His letter to Edward Cooke, under date of January 24th, 1806, is probably a perfect reflection of his uneasy personality. He wrote: "From a minute inquiry for five months I find that Governor Hunter has nearly ruined this Province. His whole system was rapaciousness; to accumulate money by grants of land was all he thought of. The Loyalist that was entitled to land without fees could not get any, but the alien that could pay was sure of succeeding; unjust and arbitrary, he dissatisfied the people and oppressed the officers of Government. He had a few Scotch instruments about him (Mr. McGill and Mr. Scott) that he made subservient to his purposes and by every other individual he and his tools were execrated. Nothing has been done for the Colony, no roads, bad water communication, no Post, no Religion, no Morals, no Education, no Trade, no Agriculture, no Industry attended to. Mr. McGill and Mr. Scott have made a person (personage) of their own President (Grant); the same measures are followed up, and the effects will soon appear, for everything *you wish* will be defended (forbidden) and the Houses of Assembly will feel their power, which is always in the Colonies a bad thing."

The officious energy of Mr. Justice Thorpe is revealed in humourous manner in the remainder of the letter where he announces that he has set about conciliating the people in every way so that the new Governor when he arrives will find everything smooth and comfortable. He adds, not without slyness,

"All this I state on the supposition that Lord Castlereagh will not be induced to place anyone over me on the Bench, but if Parliamentary interest should prevail on him to neglect my exertions, I must entreat of my friends to beg of His Lordship to remove me to any other place where I can do my duty and render some service." In a postscript dated February 5th, 1806, he added: "The Houses of Assembly are sitting and from want of a person to direct, the lower one is quite wild. In a quiet way I have the reins so as to prevent mischief, though like Phaeton I seized them precipitately. I shall not burn myself, and hope to save others."

The "wildness" was stimulated by Mr. Weekes, Thorpe's friend, who had moved the House into Committee of the Whole to consider the State of the Province and who in company with Mr. McLean and the Solicitor-General had drafted an Address to the Administrator demanding that Military Claimants should receive their lands without fees. Moreover the

House of Assembly had passed a Bill for the relief of the People called Methodists and had voted 11 to 3 against the granting of waste lands of the Crown to aliens—a Government project. Undoubtedly conditions were far from good but the statements of Thorpe were probably extreme, and the agitation which he and his friends maintained opened the door to some persons with ulterior motives.

One of the means adopted by Thorpe to ingratiate himself with the people was by delivering political harangues from the Bench, in the guise of Addresses to Grand and Petit Juries. A very curious series of Addresses in Reply to the Judge on such occasions is found in the Canadian Archives. In these addresses the Foremen revealed such treasures of apt allusion and such stateliness of diction, that one wonders what classicist was so obliging as to draft them. Take this sentence in an Address signed by Jonathan Williams, Foreman of the London Grand Jury.

"It has afforded us infinite pleasure to observe, in the exercise of your high and important authority, that the character of the Judge suffers no abasement from an amenity of manners." Now take in contrast—or in comparison—another sentence by another stylist, Mr. Justice Thorpe himself—"There is an ultimate point of depression as well as exaltation from whence all human affairs naturally advance or recede, therefore proportionately to your depression, we may expect your progress in prosperity will advance with accelerated velocity." Even the Foreman of the Petit Jury at Niagara was not lacking in the graces of expression: "Instruction conveyed with such perspicuity and delivered with such urbanity shall always be held by us in grateful remembrance." Although the impropriety of using "shall" where "will" is correct might be termed a Scotticism, the Irish have not been free from that very error. It was believed that these replies were drafted by Weekes, but one wonders if Mr. Justice Thorpe himself had not used the pen of a ready writer to fashion compliments for himself. If so, the Judge may be counted as one of the first and one of the ablest of our "practical politicians."

Unhappily for him he was not made Chief Justice. He wrote on October 22nd, 1806, "Supposing I would be appointed Chief Justice and be obliged to assist the new Administration I cultivated the Members of the Assembly and soothed the mind of the people; but a being has been put over my head and made Chief Justice who has neither talent, learning, nerve nor manner." The "being" was Thomas Scott, one of Thorpe's *bêtes noirs*. It is not surprising, in view of the character of Thorpe, that he took occasion during this year while on circuit to make a bitter attack upon the Government, in a charge to the London District Grand Jury. He was rebuked by the doughty Colonel, Joseph Ryerson of Norfolk, who declared that his conduct was more like that of a United Irishman than a Judge. Thorpe prosecuted Ryerson under an ancient law of the Thirteenth Century—*scandalum magnatum*—but lost his case. Governor Gore in a letter to Mr. Windham dated October 29th, 1806, made vigorous com-

plaint of Thorpe. "He has not been in this Colony much more than twelve months, he only saw Lieut.-Governor Hunter at Quebec a short time before his death, whose character and memory he has endeavored both in public and in private to degrade, and can only know by report many of the circumstances he thinks proper to allude to, respecting the Government of this Province."

After the death of Weekes the factious Judge became a candidate for the Assembly and was elected over Thomas Barnes Gough for the constituency of East York, Durham and Simcoe. He took his seat on February 2nd, 1807, and a week later a petition was filed against his election on the grounds that it was unconstitutional for a Judge to sit in the representative House. Despite the Allcock precedent of 1801, there was no law against it in Canada and the application failed. During the session of 1807 Thorpe was a voluble oppositionist. He was not a figure in the Assembly of 1808, for in July, 1807, Governor Gore had suspended him from the Bench and he had gone to England to complain. In the Journals of 1810 the name of his former opponent in East York, Thomas Barnes Gough, frequently appears. In 1811 Thorpe was transferred to the Bench of Sierra Leone where he got into further trouble.

It is not unlikely that Judge Thorpe was sincere in his desire to abate grievances which had developed from the too-surly autocracy of a military martinet, from the Fees System of payment of officials, and from the amiable weakness of President Grant, Hunter's successor. But his intensity of character and the wound to his self-love in the nomination of Scott as Chief Justice carried him much too far. Weekes, his intimate, doubtless got his politics where he got his Law—in the office of Aaron Burr, leader of the anti-British Democratic Party in the United States. One cannot but think that Thorpe was "used" by Weekes to stir up public resentment, as some Government officials were "used", until the whole group became a hostile, if not dangerous party. Gore wrote in February, 1807, "Very soon after my arrival in this Province I received information of a party of which Mr. Justice Thorpe, Mr. Wyatt and a Mr. Willcocks, the Sheriff, were the leaders, that were endeavouring by every means in their power to perplex and embarrass the King's Government in the Colony." Efforts had been made to secure the adhesion of D'Arcy Boulton, the Solicitor-General, and of Quetton St. George, the York merchant, but they had repelled the suggestion with indignation. Charles B. Wyatt, the Surveyor-General, had recommended in November, 1806, the removal of his assistants, Wm. Chewett and Thomas Ridout. It is said that Wyatt's reasons were wholly political, since these two men were no friends to agitation and had voted against Thorpe. The Executive Council refused to approve the recommendation, whereupon Wyatt dismissed Ridout on his own responsibility and challenged the Government. The consequence was that Wyatt himself was suspended from office and Ridout remained. Wyatt went to England and brought action against Governor Gore for

the publication of a false and malicious libel and for having suspended the plaintiff from his office as Surveyor-General. The libel was a printed letter from Gore to Lord Castlereagh complaining of certain factious and turbulent individuals whose intentions were to disturb the peace and tranquillity of the Province, and naming Thorpe, Willcocks, Wyatt and others. The witnesses called for the prosecution included William Firth, Attorney-General from 1807 to 1811, and Judge Thorpe; the defence argued that no case had been proved, but the court thought otherwise. Wyatt was given damages of £300.

Joseph Willcocks, the diarist of 1800-1802, and then Sheriff of the Home District, began to be active as an agitator in 1806. An affidavit procured by Governor Gore in 1807 from John Richardson said in part: "The said Joseph Willcocks had frequently discoursed with the deponent on the subject of Republican Principles, even adverting to the *Glorious Success* of the French over tyrants, and admiring their conduct in Ireland. He expressed a wish that the French had succeeded in Ireland or in England, and hoped they would be successful wherever they went. The said Joseph Willcocks related a story of the Rebels in Ireland throwing a brother of his over a bridge, remarking that the rebels would not have served him so." The imputation seems to have been that his Republican principles were well known. In April, 1807, Willcocks was removed from office as Sheriff, being succeeded by Captain Miles Macdonell. He joined Wyatt in New York and during June seems to have been in association with the United Irishmen, and presumably with Genêt, the French Republican representative. In New York he secured a printing press and some printers through his acquaintance with the Editor (*) of *The American Citizen* and returning to Niagara established in July, 1807, a newspaper called *The Upper Canadian Guardian and Freeman's Journal.*(**)

A copy of *The Upper Canada Guardian or Freeman's Journal,* Vol. I., Number 24, January 22nd, 1808, is to be found in the Provincial Archives. It is a single folio sheet printed on both sides and containing general news for the most part taken from American newspapers. There is almost no local news and no editorial articles, but there is a letter in which one genial citizen of Niagara calls another a liar—in capital letters. A list of people for whom letters are to be found at the post office is given, which is of importance for local history. The legend at the bottom of the second page is "Niagara, Printed by Joseph Willcocks". This particular number of *The Guardian* is hardly to be considered as an Opposition journal. It is so mild that the most ardent autocrat could scarcely find cause for sup-

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*James Cheetham, a naturalized American born in England, was the leading journalistic figure in New York between 1801 and 1810. He owned and edited "The American Citizen," a daily, and the semi-weekly publication called "The American Watchman." He supported the Democratic Party with such virulent freedom of utterance and yet with such graces of style that he was called by his friends the American Junius. His enemies were not so flattering. It is said that on his death-bed he revealed to his sons the secret of his power as a writer of English. His last words were these: "Boys, study Bolingbroke for style and Locke for sentiment."

**The present writer in a former work "The Municipality of Toronto" expressed doubt if more than the prospectus of "The Guardian" had ever appeared "in York or anywhere else." When Dr. Samuel Johnson was asked why he defined "postern" as "the knee of a horse," he replied, "Ignorance, madam, pure ignorance." "The Guardian" was published at Niagara-on-the-Lake from 1807 to 1812.

pressing it. Other numbers were more pungent. There is a copy in the London Public Library, the property of Dr. Solon Woolverton, dated "Saturday, Feb. 23rd, 1811; Vol. 3, No. 49." In this issue is an editorial article discussing Governor Gore's abrupt answer to an address by the Legislature—"I shall at all times be ready to pay every attention to the representation of the House of Assembly, of abuses that may exist which properly come within their cognizance." The article follows: "In the foregoing address presented to His Excellency the Lieutenant-Governor by the Representative Body requesting a copy of such accounts as by law he was authorized and directed to require, and receive, from the Colonels or Commanding Officers of Regiments of Militia in the Province; the Public cannot fail to discover a strong inclination on the part of their Representatives to be made acquainted with the extent of the infamous impositions which have been hitherto, with impunity, practised upon the militia of the country. In this delicate and respectful address nothing more is intimated than the necessity, which in the opinion of the Commons of the province, existed of having some inquiry instituted on so interesting and important a subject. Look at the gracious and condescending answer of His Excellency who is pleased to say the representatives of the people have no right to enquire for information upon the matter. It is not within the limit of these few observations that the legality or propriety of the conduct of the chief magistrate can be examined; if the quibbles of State Sophistry can be substituted for common sense and sound reason then it must be admitted that altho' the people have had raised upon them under the color of Fines enormous sums of money which notoriously have never been applied to the purposes intended by the Law; yet they have no business to enquire what has become of that money. Strange perversion of the principles of English Freedom. Ye Colonels of militia, the executive Branch of our Government seems openly and avowedly to present itself as a shield to protect you who have so iniquitously abused the confidence of your sovereign and without shame trampled upon the rights of your fellow-Subjects.—EDITOR."

These two copies of *The Guardian* seem to be the only ones yet discovered in Ontario. Eight or ten copies were sent to England by Lieutenant-Governor Gore as samples, and are deposited in the Colonial Office. Transcripts of them are to be found in the Dominion Archives.

The career of Joseph Willcocks forms the basis of a curious novel entitled *The Victims of Tyranny*, written by Charles W. Beardsley, (*) and

*The Beardsley family lived in New York State before the Revolution. One of the sons was educated for the ministry of the Church of England and when it appeared that armed rebellion was inevitable declared himself as a King's man. His brothers took the other side in the struggle. The clergyman went as a refugee to New Brunswick; his son, Bartholomew Crannell Beardsley, came to Niagara and was one of the first members of the Upper Canada Law Society. Bartholomew had an American cousin, Levi, who was a member of Congress and in his later years wrote his Reminiscences in two volumes. A copy of this book which contains a steel portrait of the author is in the Toronto Public Library. He speaks of visiting Bartholomew at Niagara-on-the-Lake in 1815, passes over the Battlefield of Lundy's Lane, sees the mound where the dead were buried and remarks the dreadful odor which still hung over it.

The birth-registers of Niagara do not give Charles W. as a son of Bartholomew, and the name is not mentioned in Levi's Reminiscences. His book shows that he was familiar with legal practice in Upper Canada, and yet the Secretary of the Law Society declares that no Charles W. Beardsley ever practised law in the Province. Mr. Frank W. Severance, of Buffalo, can find no trace of him, and the book "The Victims of Tyranny" is not mentioned in the Buffalo or General American Bibliographies.

printed in Buffalo in 1847. The book is rare; and many persons who have interested themselves in the early history of Upper Canada are not familiar with it. The scene is laid in York; Willcocks, under the name "Wilcox", is the hero, and a number of persons strongly in the Government interest are caricatured unsparingly. The Secretary of the Province (Jarvis) is the "villain" of the piece, the Governor "Sir Francis" is shown as a weakling who acts only on the villain's representations, and Dr. Strachan (who had a habit of whistling) is undoubtedly the original of "Mr. Whifler", Rector of York. The author pictures Willcocks as a high-minded constitutionalist who is dismissed from his office as Sheriff by his refusal to prostitute it to private interest. He is persecuted by jacks-in-office to the point of being arraigned for high treason, is acquitted, and is immediately elected to the Assembly by his fellow-townsmen. There he follows a course of constitutional opposition, to the satisfaction of his constituents and of a few of the people of the better class, such as the Commander of the Garrison. He establishes a newspaper which still further irritates his enemies, escapes several attempts to assassinate him and so comes to the outbreak of the war. The author declares that on the promulgation of martial law *The Upper Canada Gazette* printed a Government advertisement offering a reward of £1,000 for the body of Willcocks, dead or alive. Thus he was forced into hiding until the Americans captured Newark in 1813.(*) He is offered a Lieutenant-Colonelcy in the American forces and weary of persecution by his own people accepts the commission—still in the most high-minded manner. Unwilling to be a half-way man in any undertaking he prints handbills inviting Canadians to join him, and raises a force of 1,000 Canadian Volunteers. (There were never more than 100 men in this corps). The hero dies in front of Fort Erie in 1814 and the lovely "female" to whom he was betrothed is forced by her father, the Secretary of the Province, into a hateful marriage.

Of course an avowed fiction cannot form the basis for serious history, particularly when facts concerning the period are meagre. Yet the atmosphere of this strange book is such as to arouse wonder, particularly when so many incidents in the tale run parallel with the facts as far as they are known. The Diary and letter book of Willcocks already referred to, reveal a bold, dashing personality, with a bottom of cold self-interest. He expresses his distaste for romantic, runaway marriages, and lays plans to better his prospects, in marriage, as in other affairs. When he is dismissed from Russell's service he joins himself to Mr. Justice Allcock whose influence with the Governor is paramount and his appointment as Sheriff is the natural consequence. His expressed distaste for the Union of Great Britain and Ireland and his unnecessary declaration—to an Irishman in Albany—that nothing would warp his loyalty to the Government of Great Britain, makes one wonder if it were not easy for him to ally himself with the

*There are no copies of *The Gazette* for 1812 known to be in existence to test this statement.

United Irishmen—so soon as the Governor began to cool towards him. His denunciation of Charles Willcocks, his ne'er-do-well kinsman has an element of smugness, and the writer in perusing it was irresistibly reminded of Goldsmith's characters, Charles and Joseph Surface, in *The School for Scandal.*

That Willcocks won the regard of the people is unquestionable. Jonathan Woolverton, the innkeeper of Grimsby, remembered him with affection and cherished as a relic his cane. Yet the people were in a mood to give approval to anyone who would bring their grievances into public notice. They were harried by unpopular magistrates with enormous powers and kept in a tutelary state by a Government which was a complete oligarchy, unimaginative and irresponsible. On the other hand, the Government officers had good reason to be resolute and even autocratic, considering the state of Europe, the intense hostility of France and the violent enmity of the American Democrats. The warning to Gore by John Powell that Willcocks was in New York consulting with United Irishmen, and his foundation of a newspaper—not with his own money—surely was sufficient to awaken official resentment.

Joseph Willcocks was elected to the Assembly in 1808 as a Member for West York, 1st Lincoln, and Haldimand. Two Members were returned for this constituency in 1804, Solomon Hill and Robert Nelles, and both were in the House in 1807, after which date Hill's name disappears. Apparently Willcocks was chosen to fill the vacancy. He took his seat on January 26th, 1808. By February 18th he was in trouble. Captain Cowan "rose up in his place and did inform the House that an Honourable Member (J. Willcocks) had made use of language out of doors derogatory to the honour and integrity of this Honourable House, and nearly in these words: 'That the Members of the House of Assembly dared not proceed in the prosecution (for libel) they had commenced against him. He was sorry they did not continue it; it would have given him an opportunity of proving that they had been bribed by General Hunter; and that he had a Member of the House ready to come forward and give testimony to that effect'." The Assembly determined that the expressions said to be made use of by Mr. Joseph Willcocks were false, slanderous and highly derogatory to the dignity of the House, and set a day for his trial. The trial occurred on February 20th, the accused was found guilty of contempt and by Speaker's warrant was committed to jail, where he stayed until March 16th, when the Session ended.

In 1809 there appeared in England a pamphlet by John Mills Jackson entitled: "A view of the Political Situation of the Province of Upper Canada in North America, in which her physical capacity is stated, the means of diminishing her burden, increasing her value and securing her connection to Great Britain are fully considered. With notes and appendix. London, Printed for W. Earle, No. 43 Albemarle Street, 1809." When this brochure arrived in York it caused a political tempest. Mr. C. Wilson

moved in the Assembly, seconded by Mr. MacNab, that the pamphlet contained "a false, scandalous and seditious libel, comprising expressions of the most unexampled insolence and contumely towards His Majesty's Government in this Province." It was ordered that the pamphlet be preserved in the Records of the House—possibly as a horrible example of the lengths to which human depravity could go. It can be read today without a shudder.

The author said in his Introduction: "I shall now undertake to show that from the inefficient conduct of the Colonial Government the beneficent intentions of the King have been defeated, the wisdom of the British Parliament frustrated, the civil officers and people oppressed, and even the salutary efforts of the Provincial Assembly overturned; the most loyal, attached, and determined people are becoming so aggrieved, enslaved and irritated that they view with delight the prospect of hostilities with America, in the hope of being freed from that Government to which they once looked for security, liberty and reform."

John Mills Jackson (*) had visited the Province in 1806 to administer some of his property. He was a friend of Mr. Justice Thorpe, and possibly through him was enabled to collect the documents which he printed in the appendix of his pamphlet, and which justified in large measure the vigour of his protest. He was wrong in generalizing from too little data. It was unfair to picture the whole population as longing for an American invasion, although some beyond doubt were in that state of mind, or assumed to be. Jackson charged that the officials had taken all the best land, and continued as follows: "These gentlemen when glutted with land became anxious for fees until they raised the expense of a deed of grant to nearly $40 for 200 acres and then apportioned them most unfairly. In laying out townships the most favourable, fertile and salubrious places were reserved, that future favourites might be enriched or convenient persons gratified, whilst the remote, barren and unhealthy parts were selected for such as were entitled to the bounty of the King, to grants free of every expense. Thus compensation for the U. E. Loyalist and reward for the military claimant was frittered away or retarded by a location of land he could not cultivate, by suppression of papers, or by fictitious delays of office, until he was harassed into the payment of these fees, or (if destitute of means) driven to purchase from these great land monopolists and compelled to give bond for such sums as he was seldom able to pay except by the forfeiture of the land with all the improvements. At length all claims were silenced by a proclamation declaring that no one should obtain any grant without fees who had not settled in the Province before 1798. By these means the original intention has been

*John Mills Jackson, born in St. Christopher, West India Islands, was educated at Balliol College, Oxford, and then returned to the Island of St. Vincent, where he had property. He was appointed Lieut.-Col. and Aide-de-Camp to Drewry Ottley, who was Governor of the West Indies about 1800. In 1805 Jackson visited Lower Canada and while there bought land in the Upper Province. Jackson's Point on Lake Simcoe was a part of his farm.

defeated, the Royal promise broken, the faith of the Government disgraced, the settlement of the Colony retarded, and partiality, prejudice and avariciousness so apparent in the distribution of land (*) that discontent and disgust were diffused throughout the whole body of the people." That there was an element of stupidity in high places appeared in the facts assembled by Jackson with respect to the cultivation of hemp. The British Government had granted a bounty on hemp production for the Navy. Jackson said that when the Canadian farmer produced it there was no Government store to receive it and no market.(†) The small merchants objected to it as a basis of barter and in many cases it was turned back to manure the soil. An agricultural and commercial society organized by Mr. Justice Thorpe and others to encourage the growing of hemp was called a Jacobin Club. The conclusion of the pamphlet follows: "I call for investigation as a duty I owe my King and country."

Jackson had been in York during the years 1806 and 1807 and the manner of his behaviour was known to Governor Gore by reason of a series of affidavits touching a dinner party given at his house on Yonge Street in York Township, on November 27th, 1806. Those present were Joseph Willcocks, Captain Richard Ferguson, Baron de Hoen, Lieut. Besserer and Mr. Chiniquy. Willcocks insisted on talking politics; when the other guests protested against the warmth of his language concerning the Governor, the host gave him full freedom, and said himself: "Damn the Governor and the Government—push around the bottle!" The whole story is less important than the length of the affidavits would indicate, for it is evident that the bottle was not being pushed around for the first time that evening.

An Address to Governor Gore denouncing Jackson's pamphlet was passed by the Legislative Assembly; four Members dissenting: J. Wilson, Howard, Willcocks and Rogers. A quotation follows: "We should not intrude upon Your Excellency at this time to express the general sentiment of the people of this Province, did we not feel ourselves called upon and impelled by a sense of that duty which we owe to our constituents, His Majesty's loyal subjects of this Province, to you, Sir, as administering the

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*In the course of a General Parliamentary Inquiry into the state of the Public Departments conducted in 1839 and reported to the Assembly of the following year, J. G. Chewett, the Surveyor-General, said: "I cannot help remarking that the system upon which lands have been granted was the greatest prostitution of the Sovereign's Bounty ever practised in any country. The intentions of the Sovereign will evidently appear, from the instructions given for the settlement of the country, wise and guarded; but the system pursued was corrupt; actual settlement was required upon the grants, but the influence of interest obtained for individuals whose claim could not exceed two hundred acres, large grants to themselves and favourites, dead parents, as well as infants who never lived to walk out of their cradles, had Orders-in-Council passed in their names, and their families eventually obtained the lands." Mr. Chewett in his testimony submitted a table showing the amount of land granted under various authorities from the establishment of the Province. Under the Regulations in force prior to 1796, 2,459,800 acres were granted and located; under the Regulations adopted Dec. 22nd, 1796, and Dec. 13th, 1802, 189,850 acres; under the Regulations of July 6th, 1804, 536,400; Jan. 5th, 1819, 94,600; Jan. 1st, 1820, 46,800. The table is not easy to understand for there may be duplications; it appears that United Empire Loyalists and Military claimants received 2,046,000 acres, but of this 310,800 were not located. The Militia certificates accounted for 549,300 acres; officers and soldiers' warrants, 635,700, officers of the Regular army and navy, 96,924 acres. Up to 1839, about 17,000,000 acres were surveyed. The grants according to the table make a total of 8,398,974.

†The Journals of the Assembly for 1811 mention that William Allan, of York, was one of the Commissioners for the purchase of hemp from 1804 to 1809.

Government thereof; and to that August Sovereign whom we regard as the Father of his People, only to express our abhorrence and indignation at a pamphlet now before us, addressed to the King, Lords and Commons of the United Kingdom of Great Britain and Ireland, containing in almost every page the most gross and false aspersions on Your Excellency and His Majesty's Executive Government, the House of Assembly, and the loyal inhabitants of the Province, under the signature of John Mills Jackson, tending to misrepresent a brave and loyal portion of His Majesty's subjects." Yet Jackson had a well documented case. Merely to denounce him and deny his charges was surely unwise.

Bound up with Jackson's pamphlet in the Toronto Public Library is a series of anonymous letters "from an American Loyalist in Upper Canada", printed in Halifax and purporting to answer Jackson's charges. The second of these letters deals with the Faction of which Mr. Jackson had become "the tool". It proceeds as follows: "The founder of this Faction was Mr. Wm. Weekes, an Irish attorney. The manner of his coming to America and his motives for emigrating are not known. After stopping for two years at New York to glean Law and improve his Political Principles under the celebrated Aaron Burr, he came into this Province a needy Adventurer and was incautiously admitted to the Bar. He began his career by taking an active part in the election of Mr. Justice Allcock in 1801. Under pretence of a riot, which was a mere sham of his own, he procured the Poll to be closed just at the critical moment when the Judge had a small majority; and Mr. Allcock was in consequence returned a Member of the House of Assembly. Mr. Weekes took it into his head to suppose that this was a Government job, and that he should be handsomely rewarded for this piece of electioneering dexterity. In this he was mistaken. Mr. Allcock was proposed as a candidate because his education and professional knowledge might make him a useful member in the House of Assembly; but the Government had not, nor could have, any particular interest in his having a seat there. Frustrated of the reward with which he had flattered himself for his officious interference; and which he had the effrontery to claim in the most indecent manner; and finding that the Government had no dirty jobs for him to do, he determined that his talents for this kind of business should not be unemployed. The violent and gratuitous instrument in violating the rights of suffrage was immediately transformed into a zealous demagogue; and by practising in the usual way, upon the ignorance and credulity of the people he became in about two years the Representative of these very Electors whose franchises he had so glaringly violated. Such are the fascinating effects of the mark of patriotism however clumsily put on. In the interval a most extraordinary circumstance took place: Mr. Weekes one night suddenly disappeared; a man and woman who kept his house were taken up, and imprisoned on suspicion of having murdered him. In about a fortnight, however, he emerged from the woods, half-naked and almost starved;

and this mysterious wandering can be accounted for only from mental derangement. Such was the man whom the majority of the electors of the Counties of York, Durham and Simcoe delighted to honour!"(*)

The letter then deals with the arrival of Mr. Justice Thorpe, and declares that from his first entry into the Province he showed a disposition to interfere with and dictate to every Department. "Minds so congenial as his and Mr. Weekes's were not long in forming the most intimate union under the casual and feeble Administration of Mr. President Grant, upon whom, as senior Councillor, it had devolved on the demise of General Hunter; he urged his friend to push the House of Assembly to the most unwarrantable proceedings. In contempt of Public Decorum, he was within the Bar of the House openly prompting Mr. Weekes and his Partizans, where they appeared at a loss in their violent proceedings; and when the Clerk of the Executive Council excused himself on account of his oath from answering some questions that were put to him, Mr. Thorpe rose, and unasked, declared to the House that he could be compelled to answer; and had the wickedness and effrontery to cite Lord Strafford's case. Even in the exercise of his functions as a Judge he encouraged Mr. Weekes in the most indecent aspersions against the Government, however irrelevant to the cause before him; engaged him to compose addresses for Grand Juries reflecting on the conduct of the Government that he might himself have an opportunity in reply to revile from the Bench, that authority which it was his duty to support; on account of conduct resembling rather that of a public Incendiary than a Judge, it was thought prudent by the Governor to prevent him going on the circuit a second time."

After dealing in vigorous manner with C. B. Wyatt and John Mills Jackson, the letter-writer has this to say of Joseph Willcocks:

"Though last, not least among this knot of Worthies, is Mr. Joseph Willcocks. This Gentleman left Ireland, his native country, in 1799 and came hither to seek his Fortune. In this he would have been successful, could his turbulent Spirit have submitted to the ties of duty, or even interest. For though discarded by his first Patron for no very honourable conduct, he was employed and patronized by the late Chief Justice Allcock. Through his influence he was appointed Sheriff of the Home District, an office worth at least £300 a year. The respectability and emolument of this situation might, one would suppose, have been an object to a man of pretentions superior even to Mr. Willcocks; and sufficient to have bound even him to the support of the Government from which it was derived. But whether impelled by former Habits to cabal against the Government; or, led by the example of his countrymen, Weekes, and Thorpe, to seek distinction by a Course very different to that of official duty; certain it is that he entered into all their Schemes with ardour, and as a necessary consequence lost his Appointment. He immediately after, set up a Printing Office at Niagara, from which, have continued to issue the most scandalous Libels against the Governor, and other respectable persons connected with the Government; yet so imposing is the very Caricature of Patriotism upon certain classes of the Community, that Mr. Willcocks has

*The Willcocks Diary rather corroborates this.' It mentions the fact that Weekes had had a fit of madness.

obtained a seat in the House of Assembly.—This Gentleman is, in his own Person, a striking proof of the falsity of Mr. Jackson's rant on the subject of arbitrary Imprisonment. The impunity with which this Libeller has hitherto held his career, is the only stigma that can be cast upon the administration of Justice in the Colony. It is true that, he has by the House of Assembly been committed to Prison, for a Libel on them. But this summary Justice, exercised over one of their own Members, is no exception to my general assertion."

Still another rare pamphlet—an anonymous letter from a Gentleman of Quebec to Lord Castlereagh—dated October 24th, 1809, deals with the Thorpe, Weekes, Willcocks party in similar rough-shod fashion. It declares that Judge Thorpe was "a friend and associate of the celebrated Emmett" and intimates that when Weekes made the harangue in open Court which was answered by William Dickson and led to the fatal duel, Thorpe was on the Bench. The reference to Willcocks intimates that he was tried at least once for libel; "The minds of the Jury were so warped by party feeling, that the Judge was under the necessity of declaring from the Bench, that no man's life or property could be safe, if resting upon the verdict of such a Jury." The crusted Toryism of these letters and of the resolutions in the House of Assembly with respect to Jackson's pamphlet is the more amusing because the writers were totally unconscious of their own bias. They are effervescent because any one has dared to criticise the best possible Government in the best possible Province. They are convinced that the electoral success of the critics has been brought about by deception. They refuse to believe that the settlers have any grievances—and yet the course of many determined loyalists in the Assembly had given proof that dissatisfaction was rife.

The *York Gazette* of March 21st, 1810, (*) reports the issue of two cases, in which Willcocks was charged with libel against the Lieut.-Governor, and against Col. Claus and the Indian Department. Although the Attorney-General, Firth, was himself no friend of the Governor, Francis Gore, and ultimately complained of him in England, he was hostile enough towards Willcocks. In announcing a *nolle prosequi* in the first case—as an act of Executive clemency—he spoke as follows: "Before the Grand Jury retires to their Chamber, I beg the indulgence of the Court to say a few words. It will be in the recollection of your Lordship that at the last Assizes held here, the Grand Jury presented Mr. Willcocks for a seditious libel against the Government and Lieutenant-Governor. In so doing, if my humble concurrence is anything, I think they faithfully discharged their duty to the country and amply deserve its thanks for the essential service they performed. I would only say that had they omitted to do so, I would have considered it my bounden duty to have filed an Information Ex Officio for the same Libel; but I was happy in this instance in being forestalled by a Presentment from the Country. It must be notorious to all that *The Upper Canada Guardian* has been for a length of time a Paper

*Bound with the copy of Jackson's Pamphlet in the Toronto Public Library. This copy was the property of Governor Francis Gore and bears his autograph on the title page.

directly calculated to mislead the People and to alienate their minds from the Lawful Allegiance to their good old King and from his Representative in this Province; and to bring into contempt the general Administration of the Government, by vilifying those who held the higher and more respectable offices under Government. These Libels became so frequent that Justice loudly called for the Prosecution of the Publisher. Happily however it now appears that they have not made the purposed impression on the Public mind. Notwithstanding the ostensible verbal motive to these Publications affected to be Proudly Patriotic, and intended for the Public Good, let him not tell me of his Patriotism; it is not the holy, generous and expansive flame which glows and animates, and illumes every British bosom; it is the paly fire of the Sepulchral lamp dimly making visible its horizon of darkness. The Loyalty of the Province is undoubted—it has been evinced many ways, witness the Loyal Addresses from almost all parts of the Province, the Addresses of the Grand Jury of this and other Districts, composed of the most respectable Persons, witness also the Address of the Commons House of Parliament, the united voice of the People of the Province denying the foul imputation contained in an inflammatory and seditious Pamphlet published in England and addressed to the King, Lords, and Commons in which the whole Administration of the Government, and all who bear office in it from the highest to the lowest are calumniated in one indiscriminate abuse. To give you an idea of the nature and temper of this Libel, I will (with the leave of your Lordship) read one short Paragraph. 'The most loyal attached and determined People are become so aggrieved, enslaved and irritated that they view with delight the prospect of hostilities with America, in the hope of being freed from that Government to which they once looked for security, liberty and repose.'

"Now is this true?—Ask the Loyal and Respectable Yeomanry who surround me if this be true?—I answer no, it is a false aspersion, and their deeds in arms will refute the base falsehood whenever the hour of trial shall come. What other Country on Earth enjoys the blessings we do? We live under a Constitution the envy of the World, in a state of perfect freedom, with laws which secure to us the undisturbed enjoyment of our Property, our Civil and Religious rights and our personal Liberty. We are absolutely loaded with the bounties of Providence and have everything in common with our Parent Country, *but* its burdens. What would our good old King (who has reigned in the hearts of his subjects for more than half a Century, now that he is old and full of years and verging towards the grave) what I ask would he say if he were told that the Province was not well affected to his Person and Government, and that nothing but murmurs and discontent were to be seen in the countenance of his subjects here on whom he had conferred so many blessings, and to whom shown so many bounties?—I think it would at least produce some painful emotions in his aged breast, and somewhat embitter the transitory moments of his declining years. But it is a

calumny and a slander on his subjects to impute to them these dread things.

"When the public safety appeared thus secured harmless from the attacks made on everything like Order and Institution which was anywise connected with Government, and the shafts of malice fell pointless, then was the time for magnanimity to show itself in forgetting the personal injury and extending an act of Christian Charity and forgiveness to one from whom I doubt not the return of gratitude. I have therefore to signify to your Lordship His Excellency the Lieutenant-Governor's commands that I should enter a Nolle Prosequi on the Presentment against Mr. Willcocks for a seditious Libel. It is an act highly honourable to his feelings, and of no common mind; when he found a seeming enemy on the brink of a precipice into which he must inevitably have been plunged, with a generous hand he has raised him up from destruction.

"As to the Official Information I filed against Mr. Willcocks for a seditious and defamatory Libel on Col. Claus and the Indian Department of Government, I would on my own part, say a word or two although I have had no communication whatever with that Gentleman on the subject, yet inasmuch as Acts of Grace and Mercy have been extended around us to those charged with offences against the Law, of a certain class, I would not wish that this Province should be behind-hand in bestowing a sort of general Amnesty to offenders against the Crown, but only so far as we have Authority to do, I am therefore confident it will not be considered an abuse of the Royal prerogative in my entering also a Nolle Prosequi on the Information filed against Mr. W. and I do trust that this Mercy will not be bestowed in vain. At the same time I must observe that the Libel which was the subject of this Prosecution was Published in the absence of Colonel Claus, when he had no means of defending himself. I have always understood him to be a faithful and meritorious Officer, and what has a soldier to live upon but his honour! It is his life, it is the principle of vitality that glows in his bosom. It is the prop that doth sustain the house. Tear it away and the fabric in a moment is levelled with the dust. Libels on the Characters of Individuals strike deep in the heart of the innocent and when unatoned, only lead the injured to acts of passion, and revenge which Lord Bacon not inaptly calls 'a sort of wild Justice.' To give one instance out of hundreds which might be produced to exemplify the fearful danger of personal Libels; Lord Chief Justice Holt mentions the case in an action for words where the Judgment was arrested on account of some informality. The plaintiff in the action rose up in the midst of a crowded Court, and exclaimed in the bitterness of his feelings, 'If I had known that, my Lord, I would have had his blood.' It cannot but awaken our passions and make our bosoms throb with indignation, when those base assassins of reputation stab in the dark, those they have not the courage to attack, or look in the face of in the day; and, my Lord, as it is in the natural world that the canker feeds upon the goodliest fruit, so it is that these calumniators fix upon the fairest Character, for these are in truth their deadliest foes, even those who stand forward the

most prominent for their virtues and are most eminent for their good qualities; and those who languish under such foul imputations find no consolation but in the inward consciousness of their own innocence. My Lord, I do hope and trust that Mr. Willcocks will feel a due sense of gratitude for the mercy and forbearance which has thus been shewn him, proving eminently that which is so beautifully expressed by our great Bard, that

> "The quality of Mercy is not strained;
> It droppeth, as the gentle rain from Heaven
> Upon the place beneath. It is twice blessed;
> It blesseth him that gives, and him that takes—"

"My Lord, I beg pardon for this intrusion on your time. I have now done."

The answer to this interesting mixture of oratorical fustian, legal lore and personal abuse was given by Mr. Willcocks in the following words—the only fragment of his public utterances that has yet been found: "My Lord, I receive with pleasure the information from the Attorney-General, but at the same time I cannot but observe that it might have been conveyed without so many vile and injurious expressions against my loyalty and character. I do conceive myself, My Lord, to be as true and loyal a Subject to His Majesty, as ever was in America; and I defy the Attorney-General or any other man in the Province, to produce a single instance of my disloyalty. I depended, my Lord, in the present case, upon the Laws of my Country for an acquittal, and I assure you, that I never dream't of Conviction." The Court responded: "I am sorry to see His Excellency the Lieutenant-Governor's Mercy so ungraciously received, and I hope and trust, that in future you will conduct yourself in such a manner as to render it unnecessary."— The report of *The Gazette* concludes as follows. "Mr. Willcocks attempted to reply, but was stopped by the Court in these words;—'I will have no reply from you, Sir—And I must observe that lately, your Paper has teemed with Libels not only against His Excellency the Lieutenant-Governor, but against every person who is high in office; whether you would have been convicted in the present case, or not, I cannot presume to say.' There was a general murmur of disapprobation of the ungracious conduct of Mr. W."

The Assembly which held its first Session in 1809 was of critical temper and throughout its course reflected faithfully the spirit of unrest found in the settlements. The operation of the Militia Act was under frequent discussion; one means of bringing the question before the House was to introduce a Bill reducing the salary of the Adjutant-General. In 1811 the result of successive debates appeared in the following message from Lieutenant-Governor Gore: "The Lieutenant-Governor thinks proper to acquaint the House of Assembly that he has directed the several officers commanding the Regiments of Militia to furnish a detailed account of the application of the moneys arising from the fines, penalties and for-

feitures levied under the authority of the Act, to explain, amend and reduce to one Act of Parliament the several laws now in force for the raising and training of the Militia of this Province. The neglect of the Statute to make provision for any control over the discretion of the respective officers entrusted with this duty may have given occasion to abuses which may require legislative provision to correct. The Lieutenant-Governor will, therefore, on receipt of the several returns which he fears cannot be expected during this Session of Parliament, direct them to be laid before the House of Assembly." That the House had a set quarrel with the leading citizens in the various districts appears also in complaints concerning the District Grammar School Trustees and the Highway commissioners' administration of the funds placed in their hands. These officials were usually high militia officers also.

The Methodist custom of licensing laymen as "local preachers" permitted technical objection to the election of such persons to the Assembly. The Constitutional Act by Section 21 excluded "ministers, priests, ecclesiastics and teachers of any Church or form of religious faith or worship" from the Lower House, although it is most improbable that the British Parliament considered the possible appearance of amateur preachers, making their living in other ways. Mention has been made of the case of Benajah Mallory in 1805. He escaped unseating only by a technicality. The same Section was appealed to in 1810 in a petition from John Ferguson, Reuben Bedel, Ebenezer Washburn, Simeon Washburn and thirteen others against the election of John Roblin and James Wilson. For many years they had been public preachers and teachers in that society or community of people called Methodists. The House ordered that the petitioners should provide sureties to the amount of £200 to indemnify each Member if the application should fail. Wilson was the Member for Prince Edward (except Ameliasburg) and Roblin was one of the two Members for Lennox and Addington. The bondsmen were Duncan Cameron and John Cameron of York; since the Camerons were sturdy friends of the Administration, one wonders if the Governor and his associates were seeking to purge the House of possible oppositionists. Already the two Members had been voting with Willcocks and Mallory on the contentious School Bill. The case came before the House in Committee in early March and a large number of witnesses were called on both sides. Roblin and Wilson were unseated on the 7th by a vote of 12 to 6, the opposition consisting of J. Wilson, Howard, Lewis, Rogers, Willcocks and Mallory. On the first day of the Session of 1811 Willet Casey took his seat as the successor of John Roblin to represent Lennox and Addington, and John Stinson, as the successor of James Wilson, to represent Prince Edward.

Although the "local preachers" had been excluded there was still a Puritan strain in the Assembly. Peter Howard, of Leeds, moved on February 15th, 1810, seconded by Philip Sovereign of Norfolk, for leave

to introduce a Bill to authorize the Justices of the Peace to convict in a summary way any person or persons coming into or travelling through the Province, and exhibiting in public any play or show therein. On March 6th the Bill passed under the title "An Act to prevent all Plays or Interludes, Puppet Shows, Rope Dancers, or Stage Plays from performing in this Province for hire or gain." The Bill reached the Committee Stage in the Legislative Council but evidently died there, for it was not heard of after March 7th.

There was no marked change in the spirit of the Assembly during 1811 and 1812. Robert Nichol, one of the highway commissioners, who had been publicly accused in 1811 of retaining public money improperly, made an official reply to the Assembly in which these fiery sentences appeared: "Experience has, however, convinced me, that no integrity of heart or rectitude of conduct are a defence against malevolence and detraction; and that actions the most upright and disinterested may be misrepresented when individual characters are to be sacrificed and party purposes are to be gained. I have the satisfaction, however, to reflect that I have acted right, that there is no foundation for the insinuation against me . . . . and that I have not benefitted either directly or indirectly by one shilling of the public money." The consequence of this defence was the arrest of Mr. Nichol on a charge of contempt. He was released on a writ of Habeas Corpus by Hon. Thomas Scott, Chief Justice, which gave occasion for more complaints by the Opposition and an Address to the Prince Regent. But the action of the Chief Justice was sustained.(*)

Mr. Nichol was not alone in his indignation concerning the judgment of the Assembly on the action of Highway Commissioners. On February 11th, 1812, the Lower House resolved that William Warren Baldwin had been guilty of "a false, scandalous, audacious, contemptible libel of this House; by the publickly charging this House in the hearing of several Members thereof, with injustice to his father, Robert Baldwin, one of the Commissioners for amending and repairing the public highways and roads for the District of Newcastle." At the same time Dr. Baldwin was found guilty of a breach of the Privilege of the Assembly by suing out a capias and putting the same into the hands of the Sheriff to execute against the person of Alexander Macdonell, a Member of the House. Dr. Baldwin, physician and lawyer, was Master-in-Chancery, and thus was an officer of the Legislative Council. In consequence of the vigour of the Protest the Upper House promptly dismissed the offender, and apparently took the wind out of the Assembly's sails, for on the very next day the Assembly disclaimed any desire to be vindictive and requested that Dr. Baldwin be reinstated. The Council graciously acceded. William Warren Baldwin, of Spadina House, was one of the most distinguished men in the Province. His son, Robert, became Prime Minister of Canada.

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*Thorpe's agitation had at least one result. The system of paying the Lieutenant-Governor partly by fees was abolished on Gore's recommendation and a fixed sum of £1,000 in lieu of them was substituted.

Joseph Willcocks continued as a figure of importance in the Assembly and in the country. At the Session of February, 1812, in nineteen successive divisions the following members voted in a bloc: Benajah Mallory, Willet Casey, Joseph Willcocks, Philip Sovereign, David McGregor Rogers and David Secord. All of them were Loyalist in principle, at least such was their declaration, and in most cases it was true. They had a perpetual quarrel with the administration of the Militia Act and with the District leaders who served as Militia Lieutenants. Possibly they had justification.

## CHAPTER VII.

### THE WAR OF 1812-1814.

French sea-power was crushed by Lord Nelson at the battle of Trafalgar on October 21st, 1805. On the day before that notable victory Napoleon was at Ulm, accepting the surrender of 23,000 Austrian soldiers. On December 2nd he won the battle of Austerlitz against allied Austrian and Russian troops. In October, 1806, Prussia declared war against France; by November 25th the battles of Jena and Auerstadt had been fought and Napoleon was in Berlin signing the Berlin Decrees—his answer to the victory of Nelson. These declared a "paper blockade" of the British Isles. No British ships were to be allowed in French ports or in the ports of the allies of France. Most of the countries of Europe had been forced into alliance and the only considerable neutral was the United States.

Great Britain had answered the Berlin Decrees with a series of Orders-in-Council forbidding all trade with Europe save through British ports. Because the British Navy had mastery of the sea neutral traders had more difficulty over the Orders-in-Council than over the Berlin Decrees. It was not uncommon for an American vessel to be seized by a French privateer, and re-seized by a British frigate, the cargo, of course, being condemned at the first convenient British port. The result was to inflame American opinion against Great Britain, particularly since one of the political parties of the period had been consistently pro-French and anti-British since the outbreak of the French Revolution. Further, the British Navy since Cromwell's time had claimed the right to search merchant vessels of all nations for deserters from the service. The application of that principle of action at this time was bitterly resented by the Americans. Even when James Monroe and other American commissioners had secured the draft of a Treaty whereby Great Britain offered to respect all American rights and to give adequate reparation for every case of the wrongful seizure of a vessel, President Jefferson had refused to accept it because the right of search was not abandoned.

Then occurred in 1807 an incident which widened the chasm between the two nations. A boat-load of deserters from the British sloop *Halifax* at Hampton Roads, Va., took refuge on board the United States frigate *Chesapeake*. A formal demand by the British naval officer in command for the arrest of these men was made upon the municipal authorities who declined to interfere. On this refusal the British frigate *Leopard* followed the *Chesapeake* to sea and called upon her to stop. The order being ignored the British vessel fired a broadside into the *Chesapeake* and the American struck her flag. Two of the deserters sought were killed, two more jumped overboard and were drowned; four were seized and brought back to the *Leopard*



ZEBULON MONTGOMERY PIKE.



HENRY DEARBORN.



YORK IN 1813, FROM THE BLOCK-HOUSE EAST OF THE DON.



ISAAC CHAUNCEY.



SIR JAMES LUCAS YEO.

for trial. As the "right of search" had never applied to foreign war-vessels, Admiral Berkeley of Halifax who had issued the orders was superseded and the British Government offered to pay damages. Jefferson ordered all armed vessels to leave American ports and put an embargo on all export trade.

In this Province war was expected, particularly since many American newspapers and politicians were clamouring for the seizure of Canada. The militia was called out by the Government at York in August, 1808, as a measure of precaution. The war was delayed for four years but not with the consent of American settlers on the wilderness frontiers. They thought they had traced the hostility of the Western Indians to the counsel of the English. Thus grew up a legend which the lesser politicians kept alive. The Democratic Party being resolutely anti-English was at the peak of its political fortunes. Congressmen who fanned the prejudices of the people were certain of re-election. Mr. Grundy, of Tennessee, explained to Joseph Quincy the necessity of attacking him as vigorously as possible. He said: "Except Tim Pickering there is not a man in the United States so perfectly hated by the people of my district as yourself. By ——— I must abuse you or I shall never get re-elected. I will do it however genteelly. I will not do it as that d——d fool Clay did it—strike so hard as to hurt myself—but abuse you I must."

The body of politicians "wanting to be re-elected" taught and pretended to believe that the British were deep in a conspiracy of murder directed against the frontiersmen and their families. They also taught and believed that Canada could be seized at any moment, almost without the firing of a shot. The same Henry Clay, despised by Mr. Grundy of Tennessee, said: "It is absurd to suppose that we shall not succeed in our enterprise against the enemy's Provinces. I am not for stopping at Quebec or anywhere else. I would take the whole Continent from them and ask them no favours. I wish never to see peace till we do. God has given us the power and the means. We are to blame if we do not use them." Thomas Jefferson himself, the Patriarch of Anglophobes, said that the acquisition of Canada would be "a mere matter of marching."

It is difficult to square this hard and reckless willingness to devastate the country of a peaceable neighbour with the exalted sentiments of the Declaration of Independence. Still the times were rough in all countries and the veneer of civilization was woefully thin. Thomas Wentworth Higginson, in writing upon this period said: "The tone of society in Washington had undoubtedly some of the coarse style which then prevailed in all countries. Men drank more heavily, wrangled more loudly, and there was a good deal of what afterwards came to be known as 'plantation manners.' The mutual bearing of Congressmen was that of courtesy tempered by drunkenness and duelling." In Upper Canada conditions were not much different.

President Madison, elected in 1809, had no illusions concerning the effects of war. He maintained a bold front against the Orders-in-Council and the

right of search because that had been the policy of his predecessor and of his Party but probably he believed that England would yield because of pre-occupation in Europe. If so he was disappointed. The respectable and learned lawyer found himself forced to declare war in order to retain the confidence of his Party and put the Federalists in a wrong light before the people of the Republic. "The ablest men in his Cabinet," says Thomas Wentworth Higginson, "Pickering and Gallatin, were originally opposed to the war. They knew that the merchants of Salem and Boston had goods worth $20,000,000 either on the sea or in British ports, and that the property would certainly not be yielded to the United States as a belligerent, or to the owners, nationals of that belligerent."

The Americans were right to complain about the impressment of seamen. Too frequently the search for deserters under the supervision of a petty officer resulted in the capture of American citizens. It is said that only one-twentieth of the men seized were proved to be British subjects. If only one American citizen had been taken the Republic would have had a right to protest and even, at extremity, to fight. The complaint against the Orders-in-Council was less reasonable, especially considering that they were passed in reprisal after Napoleon's Decrees. The passion to conquer Canada was mere covetousness and frontier barbarism, although republican idealists thought that American methods of government were infinitely better for all people than British colonial methods.

Lieutenant-Governor Francis Gore went to England on private business after the Session of 1811 and the administration was taken over on October 8th by Major-General Isaac Brock, Commander of the Forces in Canada since 1807. His speech at the opening of Parliament in February, 1812, contained the following spirited sentences: "The glorious contest in which the British Empire is engaged, and the vast sacrifices which Great Britain nobly offers to secure the independence of the other nations might be expected to stifle every feeling of envy and jealousy and at the same time to excite the interest and command the admiration of a free people; but regardless of such generous impressions the American Government evinces a disposition calculated to impede and divide her efforts. England is not only interdicted the harbours of the United States while they afford shelter to the cruisers of her inveterate enemy, but she is likewise required to resign those maritime rights which she has so long exercised and enjoyed. Insulting threats are offered and hostile preparations are actually commenced; and though not without hope that cool reflection and the dictates of justice may yet avert the calamities of war, I cannot under every view of the relative situation of the Province be too urgent in recommending to your early attention the adoption of such measures as will best secure the internal peace of the country and defeat every hostile aggression." General Brock maintained an open mind on the conduct of the Provincial Oppositionists. In December, 1811, he wrote of "a number of improper characters" who had obtained extensive

possessions and whose principles diffused a spirit of insubordination. Two months later he informed Prévost that some Members of the Assembly had opposed Gore from personal motives but never had forfeited the right of being numbered amongst the most loyal. Few, he believed, had been actuated by base or unworthy considerations however mistaken they might have been on various occasions. After observing the proceedings of Parliament in Session, the General and Administrator discovered the existence in the country of a timid feeling towards the United States, and towards the numerous Americans who had settled in the Province. He thought that the influence of these settlers on the decisions of the Lower House was "truly alarming." Then the Opposition took an attitude with respect to Robert Nichol of Norfolk which Brock considered ungenerous and arbitrary. The General wrote of the proceedings: "Mr. Nichol has done essential good in opposing the democratic measures of Mr. Willcocks and his vile coadjutors. The palpable injustice of dragging him at midnight without any previous warning one hundred miles from his home to the Bar of the House (*) and then committing him to jail on the most frivolous pretence has greatly alarmed the most thinking part of the community." He had only slight hopes of better conditions in the new Parliament for which the writs issued on May 30th. "Efforts are to be made," he wrote, "by several respectable characters to get into the Assembly, but such is the spirit which unfortunately prevails that I much fear they will be foiled in their attempt."

As Willcocks was the leading spirit of the Opposition strong efforts were made to defeat him. On the eve of the election of 1812 he sold his paper *The Guardian* to Richard Hatt, a prominent Tory, receiving a sum much greater than the value of the property. Yet he was not wholly silenced. In the last issue under his control, dated June 9th he fired a broadside. The article (†) in part, follows:

"To the Public: The common duties of discretion if no other motive, it was devoutly hoped would at this time particularly, have had some influence upon the conduct of certain characters, and restrained their malignity, so far as it respects myself at least; but in this expectation have I been disappointed. It is stated that I have sold my Press to the Tarriers of Government for a considerable sum of money, and that I have it in contemplation to abandon the country with all the spoils I can collect. To this I will pin these honourable gentlemen and a plain tale shall put them at rest.—True, I have sold to Richard Hatt, Esq., my Press and Letter which were growing old and crazy, for the sum of Sixteen Hundred Dollars (and let me observe by the way a trite but vulgar adage that a fool and his money is soon parted)—for the quarter of which sum I can purchase a new and complete set of Types and Press—and it is equally true that I am determined with all possible despatch that

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*Contingent Accounts of the Assembly for 1812 show these items:

"To be paid Jno. Burk for carrying the Serjt.-at-Arms with a Sleigh to Long Point, £10 0 0.

"To the Serjt.-at-Arms for his time and expenses in going to arrest Robert Nichol, £25 0 0."

†See Vol. XIII. of the Champlain Society's publications.

The Guardian (Phoenix-like) shall arise from the ashes of the Old Press." (*)

The Editor declares his determination to continue his opposition to "Sycophantic Office Hunters, Pensioners and Pimps," grows eloquent about Truth which has sustained him through a fiery trial of four years, and concludes with the following note of thanks: "Fellow subjects, this is the last impression the old Press will make for your benefit while in my possession—it is now about to pass into hands I fear polluted, yet it may be the instrument of good in the hands of evil doers, for in the collision which will ensue between the old and the new press, general information will be more widely diffused — I should be wanting to myself and my numerous subscribers were I to omit to acknowledge the sense of gratitude I entertain towards them for their steady support towards *The Guardian,* which I hope and trust they will continue to cherish and protect—No circumstance more strongly marks the pedigree of the people of this Province than the attachment they have shown to a free press; and amidst the powers of seduction, corruption, and terror with which they have been assailed, they have proved themselves to inherit the spirit of their ancestors, while it must be a matter of astonishment to every reflecting mind, that so extensive a currency has been given to a public news paper, avowedly calculated to disseminate the principles of political truth, check the progress of inordinate power and keep alive the sacred flame of a just and rational liberty.—J. Willcocks."

In the Ontario Archives may be seen the original election return of June, 1812, for the eastern portion of First Lincoln, and the southern portion of Haldimand. It shows that Willcocks received 154 votes as against 40 received by his opponent, Abraham Nelles. There was no love for the Government on the Niagara frontier. Ralfe Clench was again in Parliament, and he had been an outspoken critic in former years, although a U. E. Loyalist. David McGregor Rogers had been re-elected in Northumberland; in the western portion of First Lincoln and the northern portion of Haldimand, the member elected was Abraham Marcle (or Markle) a Radical miller of Ancaster. Benajah Mallory, the veteran Oppositionist who had sat through two Parliaments, was beaten by Mahlon Burwell, the surveyor of Talbot Settlement, and Philip Sovereign was succeeded in Norfolk by Robert Nichol, the fervent, peppery Scottish Tory, who was to make a fine record in the war.

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*The expression "Phoenix-like" was in a measure prophetic. In 1818 "under the patronage of Richard Hatt," a newspaper called "The Phoenix" was established at Dundas, Richard Cockerell being the Editor. Its tone was Tory, but it is not improbable that the press and furniture of "The Guardian" were used. Richard Hatt was born in 1769 in London, England. He settled at Ancaster about 1798. His brothers, Samuel and Augustus, and sisters, Mary and Susannah, also came to Canada. He was the first to utilize the water privileges of the Dundas Valley where he erected saw-mills, grist mills and carding mills. His was also the second mill at Ancaster. In 1799 he was married at Ancaster to Mary Cooley, U.E.L. Peter Desjardins, the projector of the Canal which bears his name was associated commercially with Richard Hatt, apparently as his bookkeeper. In the war Major Hatt commanded the militia at Fort Erie on the 28th of November, 1812, under Colonel Bisshopp when the attack under General Smythe was repulsed. He was severely wounded at Lundy's Lane.

Richard Hatt was a magistrate and served as the first District Court Judge. He was an ardent member of the Church of England and gave to St. James's Church, Dundas, its silver communion set."



DEATH OF GENERAL PIKE

On the whole the temper of the new Assembly did not differ materially from that of the former House. The people of the Province—as distinct from the officials—were not suspicious of the loyalty of the Radicals, and they probably believed—with easy confidence in the human race—that there was no likelihood of war. Always on the very eve of an international crisis many optimists may be found, and the warnings of clear-seeing general officers are dismissed as unworthy of credence.

Lady Edgar's book *Ten Years of Upper Canada in Peace and War* quotes at p. 130 the following letter from George Ridout to his brother in England:

"I must not omit letting you know that Father is a Member of Parliament for the West Riding of the County of York and Simcoe. He was returned by a majority of 142 against Sheppard the only candidate who opposed him, as Hamilton the morning of the Election resigned his interest in favour of Sheppard.....Only six of the old Members are returned, consequently the remainder of the 26 are new. They will compose a very respectable House. John Macdonell is one of them. He was returned for Glengarry. Our election here lasted three days. Gen. Brock is much pleased with father's success. We had a famous electioneering dinner after the polls closed consisting of most of the gentlemen of York."

Not a week had elapsed after the election until the American Government declared war—June 18th, 1812. The vote in the American House of Representatives was as follows:

| | Yes | No | | Yes | No |
|---|---|---|---|---|---|
| New Hampshire ..... | 3 | 2 | Delaware ..... | 0 | 1 |
| Massachusetts ..... | 6 | 8 | Maryland ..... | 6 | 3 |
| Rhode Island ..... | 0 | 2 | Virginia ..... | 14 | 5 |
| Vermont ..... | 3 | 1 | N. Carolina ..... | 6 | 3 |
| Connecticut ..... | 0 | 7 | S. Carolina ..... | 6 | 0 |
| New York ..... | 3 | 11 | Georgia ..... | 3 | 0 |
| New Jersey ..... | 2 | 4 | Kentucky ..... | 5 | 0 |
| Pennsylvania ..... | 16 | 2 | Tennessee ..... | 3 | 0 |
| | | | Ohio ..... | 3 | 0 |

That is, 79 in favour of war, and 49 opposed. In the Senate, the vote was 19 for war, 13 for peace. The Prince Regent when he heard the news gave out a statement which contained the following pungent sentence: "From their professed principles of freedom and independence, the United States was the last power in which Great Britain could have expected to find a willing instrument and abettor of French tyranny."

A letter dated from Fort Niagara on June 28th shows the effect of the declaration on the people of the frontier: (*)

"The news of war reached the British Fort George the 24th by express, two days before it was received at our Military Station. General Brock, the British Governor, arrived at Fort George the 25th. Several American gentlemen were there on a visit who were treated very politely by the Governor, and sent under the protection of Captain Glegg, his aide, to Fort Niagara with a flag. The news of war was very unwelcome on both sides the river. They

*Cruikshank: Documentary History of the War of 1812.

have been for six years in habits of friendly intercourse, connected by marriage and various relationships. Both sides were in consternation; the women and children were out on the lanes, while their fathers, husbands, sons, etc., were busily employed in arming. It was said Captain Glegg also bore a summons for the surrender of Fort Niagara, but this was contradicted by Captain Leonard, commanding that post, who said the message was merely to inquire if he had any official notice of the war; and that he answered in the negative."

Immediately after the declaration of war General Brock had called the new Legislature together in emergency Session. By the time the Members assembled—July 27th—the Province had been already invaded on the Detroit frontier. Although the Speech of the General was confident and full of spirit it did not kindle a universal enthusiasm. Many imagined that the fate of the country was already sealed, and, in the words of a contemporary letter, were "afraid to appear conspicuous in the promotion of means in the least calculated to retard the catastrophe." Three years of complaint with respect to Militia laws had their fruitage in an embittered partyism which continued to reign in the Assembly, despite the pressing need for united action in the face of the enemy, and which rendered the task of embodying the Militia force in some of the counties uncommonly difficult.

General Brock began his Speech by a compliment to the Militia and a declaration that amendment of the Militia Laws was necessary. He continued:

From the history and experience of our Mother Country we learn that in times of actual invasion or internal commotion the ordinary course of Criminal Law has been found inadequate to secure His Majesty's Government from private treachery as well as from open disaffection and that at such times its Legislature has found it expedient to enact laws restraining for a limited period the liberty of individuals in many cases where it would be dangerous to expose the particulars of the charge; and although the actual invasion of the Province might justify me in the exercise of the full powers reposed in me on such an emergency yet it will be more agreeable to me to receive the sanction of the two Houses.

A few traitors have already joined the enemy; have been suffered to come into the Country with impunity, and have been harboured and concealed in the interior; yet the general spirit of Loyalty which appears to pervade the Inhabitants of this Province is such as to authorize a just expectation that their efforts to mislead and deceive will be unavailing. The disaffected, I am convinced, are few; to protect and defend the Loyal inhabitants from their machinations is an object worthy of your most serious deliberations.

I have directed the Public Accounts of the Province to be laid before you in as complete a state as the unusual period will admit; they will afford you the means of ascertaining to what extent you can aid in providing for the extraordinary demands occasioned by the employment of the Militia, and I doubt not but to that extent you will cheerfully contribute.

We are engaged in an awful and eventful contest. By unanimity and dispatch in our councils and by vigour in our operations we may teach the Enemy this lesson—that a Country defended by Free-men, enthusiastically devoted to the cause of their King and Constitution can never be conquered.

On August 3rd, after the Legislature had been in session for a week a meeting of the Executive Council was held when General Brock explained

that the hopes he had entertained from the call of the Legislature were likely to be disappointed. He said that the Lower House of Assembly instead of strengthening his hands for the government of the Militia, providing for security from internal treason by partial suspension of the Habeas Corpus Act, and placing at his disposal for the defence of the Province the funds not actually applied upon past appropriations, had consumed eight days in carrying a single measure of Party — the repeal of the School Bill, and passing an Act for the public disclosure of treasonable practices before the Magistrates should have power to commit without bail. Under such circumstances, he thought little could be expected from the prolonged Session of the Legislature. The general military situation was reviewed and notice was taken of "a treasonable spirit of neutrality or disaffection" in some parts of the country. In view of the conditions the General asked for an opinion of the Council as to the prorogation of the Legislature and the proclamation of martial law. On the following day, August 4th, the Council approved the suggestion, and on the 5th the Legislature was excused from further debating.

The complaints against the District Schools which had been continually voiced in the former Legislature by the Oppositionists are best explained in a petition which had been presented to the Assembly on February 21st, 1812, and signed by James Young, Gilbert Harris, Robert Young, Sr., Robert Young, Jr., and forty-one others of the Midland District:

> Your petitioners, without presuming to dictate to Your Honourable Body, humbly beg leave to show that the Act passed on the 10th March, 1807,.... entitled "An Act to establish Public Schools in each and every District of the Province" is found by experience not to answer the end for which it was designed. Its object is presumed to be to promote literature. A small acquaintance with the facts must convince every unbiased mind that the cited Act has contributed very little or nothing to the promotion of so laudable a design. By reason of the place of instruction being established at one end of the District, and the exorbitant sum demanded for tuition (notwithstanding the liberal sum annually received from the public) very few of the inhabitants have the pecuniary means to avail themselves of the benefits contemplated by the institution. A few lucrative inhabitants residing remote from the place of instruction, and the inhabitants of Kingston reap exclusively the benefit of the established seminary in this District, and instead of aiding the middling class of His Majesty's subjects it is casting money into the lap of the rich who are sufficiently able to support schools such as are intended by the institution without pecuniary assistance from the public. Your Petitioners forbear adducing any more facts to establish the truth of their assertions, which they believe are already in your possession. They cannot be persuaded that you will continue in force an Act so partial in its operation and so little calculated to promote the education of youth in general. They therefore pray that the above-mentioned Act may be repealed and that Your Honourable Body will make such provisions in the premises as will be most conducive to public utility and of distributing reciprocal benefits."

That there were sound reasons for complaint is undoubted, but the time for debate on any question of purely domestic policy was not justly to be

taken at an emergency Session in the midst of war, and while an enemy force was established on Canadian soil raiding and pillaging far and wide.

On July 4th, 1812, there were 1,658 regular troops in Upper Canada; 80 of the Royal Artillery at Fort George, 196 of the Tenth Royal Veterans Battalion and 368 of the Royal Newfoundland Regiment at Kingston, the 41st Foot, 1,014 strong, at Amherstburg. In Lower Canada the regular force numbered 5,489. On the Niagara frontier in the early days of the war there were 600 regulars and 900 militiamen. For four years trouble had been expected by experienced soldiers, yet in the two Provinces only about 4,000 effectives were found. One cause, of course, was the struggle in the Peninsula which was of primary importance, and yet one wonders if the Government of Upper Canada which fancied it self so uncommonly efficient that any criticism was construed as a hideous libel had done its whole duty.

Orders were sent to all the Lieutenants of Counties to call out the Militia. In some parts of the country the response was prompt and hearty but such was not the condition in the district west of the Grand River. At the Long Point Settlement and on the Western side of the Talbot Settlement many Americans were established. They had taken advantage of the offer of free land to "move on," as pioneers always are in the habit of doing. Apparently they considered the oath of allegiance as a mere matter of form; in any case when war came their sympathies were with the United States. Some high-minded persons immediately abandoned their property and crossed the boundary line, but the greater number remained at home, a seditious and dangerous element in the population. Benajah Mallory, ex-M.P.P. of Burford, was of this class. He had influence in the London District and he had had a quarrel of eight years' standing with the Ryerses, Col. Talbot and other loyalists of the neighborhood.

Therefore when Col. Talbot as the Militia Lieutenant of the District summoned the yeomen to the standard he discovered an alarming condition of insubordination. In Westminster and other townships along the Thames, an active pro-American named Andrew Westbrooke, living on the 1st Concession of Delaware, had created a spirit of dissatisfaction so that there also difficulties arose. In Essex and Kent little enthusiasm appeared for a contest that in the opinion of the people generally could have only one ending. Moreover the summons had come in harvest time; one can appreciate the feelings of even a Loyalist farmer taken from his fields at a time when his labour was necessary for the feeding of himself and his family. Col. Talbot's letters at this period to General Brock are sufficiently gloomy. It is no wonder that the General wrote to England that he was in "a dismal situation." Fortunately the County Lieutenants revealed in this crisis qualities of strength and took such drastic action that they incurred the violent hostility of pro-American leaders and agitators. During the war Westbrooke and Mallory frequently attempted to capture prominent Militia officers and send them away as prisoners of war in the hope of disorganizing their commands.



THE BATTLE OF CHIPPEWA
SCOTT ORDERING THE CHARGE OF McNEIL'S BATTALION

Mahlon Burwell who had beaten Mallory (*) at the polls was forced to take the long trek to Kentucky. W. H. Merritt of Lincoln and many of the most prominent residents of the Niagara and Detroit frontiers went into exile.

General Brock was much concerned about the attitude of the Indians. Agents of the Americans had been busy in the villages all the way from Caughnawaga to the Mississippi, and even the Mohawks on the Grand River intimated that they were likely to be neutral in the struggle. In the preceding four years settlement had been proceeding rapidly in Kentucky, Tennessee, Ohio, Indiana and Illinois and the Western Indians were being shouldered out of their former hunting lands. Some perceiving the hopelessness of further resistance, were willing to accept the American presents and profess friendliness. The Hurons (or Wyandots) of the Detroit region were counted among these. The Shawanee tribe was other-minded. An Indian mystic known as The Prophet, and his brother, Chief Tecumseh, counselled resistance. Then in 1811 came the battle of Tippecanoe when General Harrison defeated the Prophet and his followers, and burned their village. In the district farther west where Robert Dickson was serving as British Indian agent, the anti-American feeling was stronger. When war was declared Dickson sent 79 warriors to Amherstburg, and then proceeded with 130 more to the Fort of St. Joseph's Island, a British post established at the entrance to the Ste. Marie River after the surrender of Michilimackinac and the other Western Posts to the United States in 1796. Tecumseh arrived at Amherstburg with about 200 followers and soon was joined by about 30 braves of the Winnebago tribe from Green Bay. Only 50 Indians from the Mohawk reserve had expressed a willingness to fight, despite a long pro-British tradition.

The figure of Tecumseh is the most commanding and attractive in the annals of the North American Indians. With all the diplomatic arts of Pontiac and more, the Shawanee chief was more intelligent and at the same time more attractive in his personality and character than the famous Ottawa. Stephen Ruddell, an American prisoner who lived with the Shawanee tribe for twenty years, said of him, "His talents, rectitude of deportment and friendly disposition commanded the respect of all about him. In short I consider him as a very great as well as a very good man, who had he enjoyed the advantages of a liberal education would have been an honour to any age or any nation."

Early in 1812 Brock had been in correspondence with the merchants of Montreal who were interested in the Northwest Fur Company, and the

*The Commissioners of Forfeited Estates reported to the Assembly of 1830 the names of land-owners who withdrew to the United States during the War, with the amount and location of their holdings. In this list it appears that the more officious of the pro-American residents of Upper Canada had a good deal of landed property. Benajah Mallory who had lived in Burford from before the beginning of the Century had 1,060 acres in that Township, 1,460 acres in Haldimand, and 160 in Oxford—a total of 2,680 acres. Abraham Markle held 808 acres in Ancaster, 400 in Nelson, and 1,208 in all. Andrew Westbrooke of Delaware had 1,115 acres in that Township, 200 in Dorchester, 80 in Oxford, 200 in Burford, 1,125 in Blenheim, 240 in Aldborough, 1,200 in King—4,160 acres in all. Biggars and Crosby of Long Point had together and severally 100 acres in Ancaster (and a town-lot of ¼ acre), 225 acres in Haldimand, and 200 in Woodhouse—525.

Southwest Company. They had expressed their view that in case of hostilities it would be the part of wisdom to seize the American post of Michilimackinac which dominated the trade of the Upper Lakes and might become a naval base of the utmost danger. A week after the declaration of war Brock sent orders to attack The Fort to Captain Charles Roberts who commanded the British post on St. Joseph's Island. Before the arrangements could be completed countermanding orders arrived, but these in turn, were revoked. Accordingly on July 16th at ten o'clock in the morning Roberts embarked with 180 French Canadian employes of the Northwest Company, 45 white soldiers and 400 Indians. The flotilla of small boats found room also for two iron six-pounders.

Lieutenant Hanks, commander at Michilimackinac, got word from a friendly Indian of the approach of an apparently hostile party and sent out a scout in a canoe to investigate. He was captured by Roberts and held a prisoner until the attack had been made. The expedition arrived on the west side of the Island of Mackinac at 3 o'clock in the morning of July 17th. The French Canadians managed to get one of the guns to a height commanding the Fort and then Roberts sent a summons to surrender. Lieut. Hanks and the garrison, perceiving that they were outnumbered and having knowledge of the nature of Indian warfare, capitulated within two hours. The American flag came down at noon. There was no bloodshed, and it is said that the Indians were so well in hand that they did not kill even a chicken. In an official report of the surrender Lieutenant Hanks declared that the arrival of the British force was his first intimation that war had been declared.

Lieut.-Col. St. George, commanding at Fort Malden, Amherstburg, had a considerable problem, with an active army established on the opposite side of the River, more numerous than his total following of regulars and militiamen, and with two settlements to defend. The militia of Kent was embodied and sent to Sandwich with two six-pounder guns and a detachment of the 41st Regiment. In all there were fewer than five hundred men there, and when the Americans began to make an artillery target of the town the militiamen grew uneasy and desired to retire immediately to Amherstburg.

In preparation for the retreat which soon became inevitable, Lieut.-Col. St. George destroyed the bridge over the Rivière aux Canards which separated the two settlements, and anchored the King's ship *Queen Charlotte* at the mouth of the river to hamper the expected American advance. Meanwhile he had made emergency soldiers of 70 men of the Northwest Company who had just arrived from Montreal and had bent all energies to the mending of his defences at the Fort. By July 8th he had twenty guns mounted and was ready for the enemy. The garrison was increased by 140 men of the flank companies of Col. Elliott's militia regiment and Captain Mockler of the Newfoundland Regiment was named as aide-de-camp. St. George was annoyed by many desertions from the militia. General Hull in one of his official reports declared that 60 "Canadians" had joined him in one day.

Altogether, a force 600 strong, dwindled to about 100, but not all were deserters to the enemy. Some went home without leave to gather their crops, and returned later. Meanwhile with the regulars and Indians, St. George had attacked Hull's line of communication across the river with varying success.

Early in the morning of July 12th the enemy crossed the River in a line extending from Belle Isle to Detroit, landing simultaneously from Moy House, the Hudson's Bay Post (at Windsor) to Sandwich. At first there were about 800 men; soon the force increased to 2,500. As a preliminary to a course of raiding General Hull issued a magniloquent proclamation. "If contrary to your own interest and the just expectations of my Country you should take part in the approaching contest you will be considered and treated as enemies and the horrors and calamities of war will stalk before you. If the barbarous and savage policy of Great Britain be pursued, and the savages let loose to murder our citizens and butcher our women and children, this war will be a war of extermination. The first stroke with the tomahawk, the first attempt with the scalping knife will be the signal for one indiscriminate scene of desolation. No white man found fighting by the side of an Indian will be taken prisoner. Instant destruction will be his lot." Hannibal Challop could not have been more severe!

The counter proclamation of General Brock, issued on July 22nd, from Fort George began as follows:

The unprovoked declaration of war by the United States of America against the United Kingdom of Great Britain and Ireland, and its dependencies has been followed by the actual invasion of this Province in a remote Frontier of the Western District by a detachment of the armed force of the United States. The officer commanding that detachment has thought proper to invite His Majesty's subjects not merely to a quiet and unresisting submission, but insults them with a call to seek voluntarily the protection of his Government.

After pointing out the rapid growth of the Colony in thirty years, and the prosperity of the people the Proclamation declared that General Hull had not even offered the people "participation in their boasted independence." It recalled the fact that the proposed return for the aid offered to the revolted Colonies by France was the cession of Canada to its former lord, and that the debt had not been paid. (*) The final paragraphs were as follows:

Be not dismayed at the unjustifiable threat of the Commander of the enemy's forces to refuse quarter if an Indian appear in the ranks. The brave bands of natives who inhabit this Colony were like His Majesty's subjects punished for their zeal and fidelity by the loss of their possessions in the late colonies, and rewarded by His Majesty with lands of superior value in this Province; the faith of the British Government has never yet been violated, they feel that the soil they inherit is to them and their posterity protected

*Vice Admiral Berkeley, stationed at Halifax, wrote to Governor Gore in August, 1807, informing him of the existence of a secret agreement providing that if the events of war should put the Americans in possession of the British Colonies in America, they were to be transferred to France, or erected into a separate Kingdom governed by a Frenchman.

from the base arts so frequently devised to overreach their simplicity. By what new principle are they to be prevented from defending their property? If their warfare, from being different to that of the white people, is more terrific to the enemy, let him retrace his steps—they seek him not—and cannot expect to find women and children in an invading army; but they are all men and have equal rights with all other men to defend themselves and their property when invaded, more especially when they find in the enemy's camp a ferocious and mortal foe using the same warfare which the American Commander affects to reprobate. This insistent and unjustifiable threat of refusing quarter for such a cause as being found in arms with a brother sufferer in defence of invaded rights must be exercised with the certain assurance of retaliation, not only in the limited operations of war in this part of the King's Dominions but in every quarter of the globe, for the national character of Britain is not less distinguished for humanity than strict retributive Justice, which will consider the execution of this inhuman threat as deliberate murder, for which every subject of the offending Power must make expiation.

Col. Duncan McArthur was Chief of the American raiders and marched up the Thames Valley robbing the settlers with great freedom. Returning from the Moravian mission he came to Lord Selkirk's settlement at Baldoon on the Chénal Ecarté and carried off besides grain and other foodstuffs a flock of merino sheep which Selkirk had imported from England.

On August 5th, Brock called out the York militiamen and reviewed them on Garrison Common. He intimated that he was about to lead an expedition to Detroit to meet the American invader and he asked for 100 volunteers. All the officers and more men than were required offered themselves. Captain Heward was named to command the York contingent and one of the Lieutenants was John Beverley Robinson, afterwards Chief Justice of Upper Canada. On the following day the expedition went to Burlington, picked up 100 men there, and then went overland to Port Dover where another 100 militiamen joined. Six batteaux carried the whole force until a junction was formed at sunrise on August 9th, with Captain Hatt's company, sailing up from Fort Erie. In the first day the boats were able to sail until one o'clock and then the men rowed until night, bivouacking in the rain at Kettle Creek, now Port Stanley. The distance, as the crow flies from Long Point to Port Stanley is 61 miles.

On the morning of the 10th there was such a heavy sea that the force could not get farther than Port Talbot, six miles away. The weather was still unkind on the 11th for the "fleet" made only about twelve miles; but conditions were more favourable on the following days. By dint of steady rowing day and night the force landed at Fort Malden, Amherstburg, in the morning of August 14th, and was incorporated in the body of troops there assembled, making a total of about 1,300 men.

In later years Chief Justice Robinson said of this anabasis from York to the Detroit River, "It would have required more courage to refuse to follow General Brock than to go with him wherever he might lead. This body of men consisted of farmers, mechanics and gentlemen who before that time




SIR ISAAC BROCK

From the painting in the John Ross Robertson Collection

had not been accustomed to any exposure unusual with persons of the same description in other countries. They marched and travelled in boats nearly six hundred miles in going and returning, in the hottest part of the year, sleeping occasionally on the ground and frequently drenched with rain, but not a man was left behind in consequence." Brock said of the militiamen: "Their conduct throughout excited my admiration."

Captain Frederick Rolette was educated at the Quebec Seminary and having entered the Royal Navy, was wounded at Aboukir and Trafalgar. Returning to Canada in 1807 he was appointed to the Provincial Marine and in 1812 was named first Lieutenant and given command of the brig *General Hunter* cruising on Lake Erie. When Hull's army was assembling on the way to Detroit a part of the baggage and 44 men were sent ahead in the schooner *Cuyahoga*. As the vessel was passing Amherstburg on July 2nd, Rolette, with eight men of the *Hunter,* rowed out in the stream and compelled the Captain to surrender. It is said that the presence on board of some ladies prevented the Americans from offering serious resistance. There was discovered in the spoil Hull's official plan of campaign which came into Brock's hands on his arrival at Amherstburg. This, with additional information collected from various sources, convinced the General that a bold course with the particular enemy facing him had every chance for success. Hull's men had foraged and ravaged from the Rivière aux Canards to Moraviantown but a Job's post from Michilimackinac, the news that Brock was westward-bound, and fear for the safety of the line of communication with Ohio sent the American General and his army back to Detroit on August 8th.

The organization at Amherstburg after Brock's arrival was as follows: First Brigade (Lieut.-Col. St. George) a detachment of the Royal Newfoundland Regiment, the Kent Militia and the 1st and 2nd Battalions of the Essex Militia; Second Brigade, (Major Chambers) 500 men of the 41st Foot, and the Militia of York, Lincoln, Oxford and Norfolk; Third Brigade (Major Tallon) the rest of the 41st. Lieut.-Col. Henry Procter, who became a Brigadier General in 1813, was in charge of the whole line, under Brock. The Indians were practically a brigade of irregulars. There was an instant friendship between Tecumseh and General Brock from their first meeting, for each of them could judge a man accurately. Moreover many of the officers both of the regular and the militia force were impressed by the Chief's high qualities and long cherished the memory of acquaintanceship with him. Brock gave him in memory of the Detroit campaign his silken sword sash and a pair of silver-mounted pistols. In return Tecumseh gave the General a sash of Indian workmanship which he wore continuously while on duty. The Chief apologized to Brock for not wearing the silken sash; saying that he had handed it to Roundhead, the Wyandotte, a much greater Chief than himself. By that flash of generosity—and diplomacy—the steady support of Roundhead would be obtained; the man would be indeed a churl, whether savage or white, who could resist such gracious flattery,—or such winsome humility. It is not surprising that Tecumseh's plan for the con-

federation of all the tribes to resist American white settlement had been almost effected.

Brock's five-gun battery at Sandwich opened on Fort Detroit on August 15th. That night the British force crossed the River and on the following day Hull surrendered at discretion without a fight. His whole army became prisoners of war and the Territory of Michigan was no longer American soil. The Americans taken prisoner at Michilimackinac and Detroit numbered 582 officers and men of the Regular army, and 1,606 militiamen, chiefly from Ohio, a total of 2,188. The military stores consisted of 34 guns, two of which were twenty-four pounders, 2,500 muskets and bayonets, 500 rifles and a great quantity of ammunition. Hull's conduct was bitterly resented by the officers and his subsequent trial made a noise in the United States.

Before Brock returned to York, Sir George Prévost had concluded an armistice with General Dearborn and materially disarranged Brock's plan to make a swift attack upon Fort Niagara. The British had to sit still while the enemy was preparing for action on the frontier.

Chagrin over Hull's conspicuous failure led the Americans into energetic action along the Niagara frontier. General Van Rensselaer's force was greatly increased and preparations were made for a surprise attack. How it came about that the British were in readiness when the Americans began to cross the river towards Queenston is explained in a despatch from Brigade Major Thomas Evans dated at Fort George on October 15th, 1812 (*). On the evening of the 11th General Brock instructed Evans to go to Queenston to investigate a complaint by Captain Dennis commanding the flank companies of the Forty-Ninth Regiment. The men were in a state of mutiny and had threatened to shoot their officers. Evans was instructed to send the ringleaders to Fort George for punishment and at the same time to cross the river under a flag of truce and inform Van Rensselaer that Brock expected him to exchange the prisoners taken in the British vessels *Caledonia* and *Detroit* which had been cut out of their anchorage at Fort Erie. The Major reached Captain Dennis's headquarters in Hamilton's house on the morning of the 12th and found that the Americans were continually firing across the river. Postponing the business of dealing with the mutineers, Evans, in company with Captain L. Dickson of the Militia, put up a white flag in a canoe and set out for the American shore. Musketry fire continued for a time despite the flag, but ceased before the embassy was endangered.

Evans was not allowed to land but was detained in his canoe for more than two hours while his message was being considered. Then he was informed that all disputes would be settled by "the day after to-morrow" and was permitted to depart. The Major had seen enough to alarm him; large numbers of Kentucky, Tennessee and Ohio men in truculent temper and an unusual number of boats imperfectly concealed in the niches or fissures of the river bank and ready for immediate use. His military eye

*Champlain Soc. Publications: Select British Documents of the Canadian War of 1812 (Wood) p. 617.



COMTE DE PUISAYE'S HOUSE, NIAGARA.



OLD QUEENSTON.

told him that an attack was imminent, and the cryptic reference to "the day after to-morrow" convinced him.

He returned to Queenston at 3 p.m. on the 12th, told the mutineers that they must have been drinking and appealed to their soldierly spirit boldly to meet the threatened danger. Then having taken this very great responsibility he returned to Fort George to report. Brock approved and made his dispositions in the light of the new information. Brock and Sheaffe prepared for action and Evans was left in charge of Fort George. Before dawn of the 13th the attack began.

General Van Rensselaer's aim was to seize Queenston Heights and cut the small British force along the frontier in two. The vanguard of the Americans was nearly 700 strong and was composed of picked men; another 700, mostly regulars, formed the first reserve, and the remainder, 4,000 militiamen, stood ready to follow. The total British force at Queenston consisted of 300 regulars of the Forty-Ninth. At Chippawa, nine miles away, were 150 men. At Brown's Point and Fort George, down the River, about 300 more were fit for service. The American landing was resisted and a considerable number of the invaders were killed, but Captain Wool succeeded in gaining a foothold on a fishermen's path which wound southward to the top of the cliff. Thus he was enabled to gain the heights without the knowledge of the British. There was a battery on the American shore engaging the single British eighteen-pounder half way up the heights. The sound of the cannonade brought Brock and his aides from Fort George, and the York militia from Brown's Point. The General at full gallop passed the militiamen on the march. Arrived at Queenston, Brock mounted the hill to see how the gunners were getting on. He had scarcely reached the artillery-post when Wool's men came streaming over the crest. "Spike the gun and follow me," he cried. In a few moments the British were at the bottom of the hill and Wool had the gun. Immediately Brock collected 100 men and directed a charge which over-ran the artillery position and pressed the Americans back. Just as success seemed certain an American rifleman stepped from behind a tree only thirty yards away and shot the General dead. The British retired bearing the body of their thrice-gallant leader to the shelter of a house in Queenston.

On the arrival of the York militia, Lieut.-Col. John Macdonell, Brock's personal aide-de-camp, and acting Attorney-General of the Province, organized a storming party of militiamen and soldiers of the 49th and charged up the hill. Again the gun was taken, but in the moment of success Macdonell was killed and the British force retreated. Since it was now clearly apparent that the main attack of the Americans was on Queenston, General Sheaffe, commanding at Fort George, brought every available man with him, seized the Heights two miles from the river, made a junction with the 150 men from Chippawa and then with a cloud of Indians on his right flank marched due east along the escarpment towards the American position. At that moment the Americans discovered that they had a serious battle to fight.

The inexperienced militia on the Lewiston side suddenly found constitutional objections to the crossing of the river. The boatmen, mostly civilians, deserted and the men on the Heights realized that they were in a desperate position. The American left, harassed by the Indians, became entangled in the woods. Confusion and indecision appeared which the intelligence and gallantry of Lieut.-Col. Winfield Scott were powerless to correct. Sheaffe came on with the bayonet. There was one scattering fusillade from the Americans. Then they broke and fled, some to pitch headlong over the cliff, some to climb down and attempt to swim the river, the rest to cluster at the verge of the precipice and surrender at discretion. The American loss was about 100 killed, 200 wounded, and 958 taken prisoner. The British casualties were 150 in all, but Brock, incomparable as a leader, was dead. He was buried, with his former aide-de-camp, Lieut.-Col. Macdonell, under one of the bastions of Fort George. During the funeral ceremony, at the order of General Van Rensselaer, a generous foe, the American flag at Fort Niagara was flown at half-mast and minute guns were fired. (*)

At the beginning of the attack on Queenston the gunners at Fort Niagara opened a cannonade on Fort George and on the public buildings of Niagara. Using red-hot shot the enemy succeeded in burning the portions of Navy Hall used as the Court House and the Government House and destroying a warehouse of stores. The Fort magazine was set on fire but Captain Vigoreux of the Royal Engineers mounted the roof, stripped off the tin and enabled the bucket brigade to get at the smouldering timbers of the roof. Thus the 700 barrels of gunpowder were saved.

General Sheaffe concluded an armistice of three days, for he was hampered with prisoners exceeding in number his entire force, and the Americans also needed time to reorganize their shattered force and mend the morale of the militia.

In General Orders, dated October 21st, 1812, descriptive of the Battle of Queenston Heights, the following sentence occurred: "Several gentlemen volunteered their services in the field and shared in the honour of the day. Mr. Clench and Mr. Wilcox were of the number." That this "Wilcox" was Joseph Willcocks, the Opposition editor and politician, has been denied by Kingsford and others, but there is evidence to show that the former owner of *The Upper Canada Guardian* co-operated with the Government on at least one occasion. In August he was sent by General Brock to stir up the Indians on the Grand River and to urge their participation in the Detroit campaign. His report to Lieut.-Col. John Macdonell is in the Canadian Archives, and appears below. (†)

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*General Sheaffe wrote on October 16th the following letter to General Van Rensselaer: "I feel too strongly the generous tribute you propose to pay my departed friend and chief to be able to express the sense I entertain of it! Noble minded as he was, so would he have done himself."

†Lieut.-Col. McDonell, Grand River, September 1st, 1812.

Sir,

In consequence of General Brock's commands communicated to me through you, relative to the Indians upon the Grand River, I made no delay in going among them, and upon seeing several of the Chiefs attached to both parties, and communicating my business to them, it was agreed that a Council should be held that evening at their village in order that all matters of dispute between the contending parties should be done away, and the necessary arrangements made for their departure to Amherstburgh.

In February, 1813, Lieut. W. H. Merritt wrote to Catharine R. Prendergast, whom he afterwards married: "You will be surprised to hear of Joseph Willcocks changing about and becoming a zealous loyalist. He has behaved very well on all occasions and so have all his Party, although they are trusted with no office whatever." Perhaps this last phrase is a partial explanation of what followed.(*) One would have thought that Willcocks's mission to the Indians and his voluntary risking of life in battle for the defence of the country would have tempered the anger and suspicion of former political opponents. Moreover he had been indicted for Sedition by the Grand Jury of Norfolk in September, 1812—apparently without result. If Brock had lived he might have held Willcocks to his allegiance, for he knew men and had genius in leadership and diplomacy. He would have perceived that a minor commission in the Militia could not have been better disposed. Willcocks was a "gentleman" by birth and education; he had the talent to attach to himself a considerable following, and he had ceased to be a critical journalist by selling his paper and refusing to start another—despite a threat to his enemies. A policy, not of generosity, but of guarded concession might well have been followed. The rigid course was adopted by Brock's

But before the Council could possibly meet I was seized with a most violent biiious cholic which had nearly deprived me of existence, indeed it was with much difficulty I could be removed that evening from the viilage to Woodriff's Tavern where I have been confined seriously ill for nearly four weeks. However, on the third day of my illness, an Indian Chief called Abraham Hill, accompanied by one George Martin, another Indian, came to my lodging and requested that I would permit them to bring their two Chiefs from each Nation on the River in order that I might communicate to them that which I intended to have spoken at the proposed Council. To this I agreed and on the following day the Chiefs attended; and although in a state of the greatest agony, I made them a speech, the substance of which was that unanimity among the several chiefs and tribes was at that time indispensably necessary for their own preservation and happiness. That they were bound by every tie of gratitude and interest to take up arms during the present contest with the United States in defence of their King, their country and their personal safety. That their personal exertions were immediately required at Amherstburgh, that General Brock had already gone there and expected that all the Chiefs and warriors would follow him without a moment's delay. These and many other circumstances of a similar nature I impressed upon their minds with all the force my sad state of heaith would permit and, as they led me to believe, with no small portion of success. They thanked me for the trouble I had taken and all parties pledged themselves in the most solemn manner strictly to attend to the various things which I had recommended. And indeed it appears they were not wholly negiectful of their promises for on the day following 64 of the chiefs and warriors started for Amherstburgh. Horrihoga, for some reason unknown to me, did not attend the Council which was held in my room and I have just heard from some of the Indians that he has lately absented himself from the River, but where he is gone they know not. It is necessary to mention that since I began to recruit my health, I have had much conversation with many of the influential characters of the several tribes from which I am led to believe that no difficulty or opposition will arise among their people should their services be again called for. I regret much that I have not been able to have written you sooner, but I assure you that until a day or two back I have not been able to hoid a pen which I trust will be a sufficient apology not only to yourself, but also for not having written to the General, or Colonel Myers, agreeably to your desire. If I can be of any service here I beg you will write me. It is at present my intention to return to Niagara so soon as my strength will permit.

I have the honor to be, Sir, with much respect
Your obedient servant, J. WILLCOCKS.

Lieut.-Col. John McDonell.

*On May 23, 1812, Thos. G. Ridout, then in London, wrote a letter to his father in York in which the following sentences occurred: "After seeing Mr. Adams I called upon the Governor (Gore) who received me in his usual friendly manner. He had just received letters from York up to the 16th March. The Governor asked me to walk with him down to the Haymarket and conversed all the way. Among other things he said: 'What do you think? That blackguard Joe Willcocks dined with General Brock and turned Government man for a while and then joined his own party again."

A curious instance of confused but prophetic rumour appears in the following item in "The New York Statesman" of August 25th, 1812, quoted in General Cruikshank's "Documents of the War of 1812." "A Mr. Wilmot, Surveyor-General of Upper Canada, who lived near York for many years, has attracted a respectable company of men (about 60 in number) attached to the American cause and proceeded on his march through the wilderness to join General Hull. Wilmot, they say, is much exasperated against the Government of Canada." The writer doubtless had heard of Wyatt, a former Surveyor-General who had been an Oppositionist, and had entangled him with Willcocks. The "Canadian Volunteers" did not appear at Detroit; they were not raised until the early summer of 1813 and operated only on the Niagara frontier.

successors and a few months after Lieut. Merritt had certified to the former editor's loyalty, he had joined the Americans with a small force of his friends, mainly from the Norfolk and Niagara region. He was given rank, first as Major and then as Lieut.-Col., commanding the "Canadian Volunteers." On August 7th, 1813, he was reported as engaged in a scouting expedition towards Burlington.

Van Rensselaer had had his chance at Queenston and had failed. He was succeeded on October 18th, 1812, by General Alexander Smyth, who was convinced of his own abilities as a soldier, and contemptuous of his predecessor. He secured an armistice which lasted until November 20th and occupied the month in collecting and drilling a force of 5,000 men preparatory to the invasion he meditated. Meanwhile the Americans had improvised a naval arsenal and dockyard at Presqu'isle on the south shore of Lake Erie.

Along the seventeen miles of front between the Falls and Fort Erie the British force on November 28th was well under 500 men—130 at Fort Erie, about as many at the ferry landing opposite Black Rock, one company of the 41st Regiment at Frenchman's Creek, and a few regulars and militia at Chippawa.

Before dawn on the 28th an advance party of Americans landed near Red House, some two-and-a-half miles north of Fort Erie. The forty or fifty British stationed here with two field guns repulsed the first attack, but the Americans made a detour and captured the House and the guns. The enemy became confused and disorganized and soon after dawn lost what they had gained. Two other parties had crossed the River farther down but had been beaten off. The attack had been a complete failure although it had cost the British a loss of nearly 100 killed, wounded or taken prisoner. Col. Bisshopp and Major Ormsby consolidated what was left of their force and awaited developments. When Smyth sent a summons for the surrender of Fort Erie Bisshopp responded "Come and take it." The season was late, the American force was disorganized and General Smyth was obliged to take flight to save himself from the vengeance of his own men, indignant at his inefficiency and lack of enterprise.

A private letter from the United States to a resident of Kingston had brought to that neighbourhood the first news of the Declaration of War. Lieut.-Col. Benson, commandant of the garrison, immediately sent instructions to the County Lieutenants for the calling of the Militia. There was a natural belief that Kingston might be the first point of attack, but after a few weeks' waiting for an emergency which did not appear, the flank companies of militiamen were permitted to go home temporarily. Not until November 20th was there any direct action by the enemy. On that day the American fleet appeared between Amherst Island and the mainland and cut off the armed schooner *Simcoe* which ran the gauntlet of a brisk fire. Her commander, James Richardson, ran her into shoal water where she sank as a result of a shot below the water-line. There was some desultory firing between the American vessels and a battery of field artillery,

but with no serious damage to either side. In December 120 ship carpenters arrived from England, and in March, 1813, 400 to 500 seamen of the Royal Navy.

During the winter the 104th Regiment marched from New Brunswick to Kingston and manned the garrison in company with a detachment of the Canadian Voltigeurs. Captain Viger of this latter force cited in his Diary two alarms, of April 29th and May 1st, 1813, when the Americans were expected to make a landing and cut off General Sheaffe, and his regulars marching eastward, but the enemy was not as enterprising as he was thought to be.

Along the St. Lawrence the first hostile act had occurred on June 29th, 1812, when eight schooners at Ogdensburg shook out their sails and set out for the safer waters of Lake Ontario. Dunham Jones, who lived near Maitland, perceived that the vessels might become mischievous if they were allowed to escape. Without waiting for orders, he hastily organized a force of volunteers, embarked them in row-boats and started up the River. The *Island Packet* and the *Sophia* were captured and burned a little above Brockville, the crews having been landed on an island. The other vessels escaped and returned to Ogdensburg.

In the early winter of 1813 about 500 men were stationed at Prescott under Lieut.-Col. Pearson. Captain Forsythe, with a similar force of Americans, commanded at Ogdensburg, and occupied his winter leisure by planning and directing two raids; one at Gananoque, at that time scarcely as large as a hamlet, the other at Brockville, recently so named, where one Company of Militia was stationed. A sentry was wounded, and the raiders captured twenty militiamen, thirty residents of the village, and some horses and cattle. Pearson sent Major George Macdonell of the Glengarry Light Infantry with a flag of truce to make a protest against this easy form of warfare, but the officer was not courteously received. Forsythe suggested satirically that the opposing forces might have a battle on the ice, and Macdonell replied that he would be happy to accommodate him. Within a few days Pearson was succeeded by Macdonell as Commander at Prescott. One of his first actions was to request of Prévost authority to make an attack upon Ogdensburg. The Governor, who was in Prescott on his way to Kingston, declined to countenance any hostile action, until the officer commanding hinted at the possibility of the Americans capturing him and his suite. He suggested that Prévost proceed immediately on his journey with an escort, while a demonstration was made on the ice to hold the attention of the enemy. The Governor approved of this plan, but later may have begun to suspect that something more serious than a mere "demonstration" was contemplated. From a roadside inn he sent back orders warning Lieut.-Col. Macdonell not to exceed his instructions. They arrived too late. Macdonell had thrown his force into two columns and was on his way across the ice. Captain Jenkins on the right had a flank company of the Glengarry Light Infantry, and 70 Militiamen. Macdonell himself on the left had 120 men

of the King's Regiment, 40 of the Royal Newfoundland Regiment, a detachment of the 41st Regiment and about 200 Militiamen. The whole force numbered 480 officers and men, and the plan was to storm the Fort (on the site of La Présentation, established by Abbé Picquet in 1750). The snow was deep and progress was difficult, but the Americans were beaten and the Fort was captured. (*) The British lost 8 killed and 52 wounded; the Americans, 20 killed, 150 wounded, and 74 taken prisoner. In the spoil were eleven guns, and a large quantity of ammunition and stores. The barracks, two armed schooners and two gunboats were burned but there was no looting of private property. Macdonell even paid American teamsters $4 a day to haul the captured stores across the ice to Prescott.

When General Zebulon Pike arrived at Ogdensburg in the week following with 5,000 regular American troops and found neither food nor cover for his men, he revised his plan of taking Prescott and went on to join Wilkinson at Sackett's Harbour, there to prepare for the expedition against York in the following April.

War had been in progress for five months before the people fully realized the debt they owed to the fighting men. Then a public meeting was called in York to establish the first Canadian Patriotic Society. Here follows an extract from the Minutes: "At a meeting of the principal inhabitants of the Town of York and its vicinity held at York on the 15th day of December, 1812, Hon. Chief Justice Scott being Chairman, it was resolved: (1) That a select society be established by annual subscription throughout the Province to be called The Loyal and Patriotic Society of Upper Canada for the following specific purposes: 1. To afford aid and relief to such families of the militia as shall appear to experience particular distress in consequence of the death or absence of their friends or relations employed in the militia service for the defence of the Province; 2. To afford like aid and relief to such militiamen as have been or shall be disabled from labour by wounds or otherwise in course of the service aforesaid; 3. To reward merit, excite emulation and commemorate glorious exploits by bestowing medals or other honorary marks of public approbation and distinction for extraordinary instances of personal courage and fidelity in defence of the Province by individuals either of His Majesty's Regular or Militia forces. (2) That the Society shall continue during the present war with the United States of America and shall be under the special protection and patronage of His Honour Major-General Sheaffe, or the person administrating His Majesty's Government in this Province for the time being. (3) That every person throughout the Province whose annual subscription shall amount to one pound or upwards shall be admitted to the honour of being a member of the Society and have the privilege of recommending objects of its charitable bounty."

*"As the Glengarry men marched across the thin ice of the St. Lawrence to the attack, on one flank was the Rev. Alexander Macdonell, the Roman Catholic Chaplain and Loyalist leader, and on the other Rev. W. Mackenzie, a brave Presbyterian. One of the Chaplain's flock felt somewhat nervous under fire, and was ordered to stand fast. When he still wavered and turned to flee, the Chaplain excommunicated him then and there."—Sketch of Bishop Macdonell.



MAJOR-GENERAL ROGER HALE SHEAFFE

The first collection realized £1,808 6s. 8½d., Halifax Currency, General Sheaffe contributing £200 and General Drummond £500. Over eighty pounds was subscribed by the members of the York and Durham militia. As the war proceeded interest in the fund increased and the Report of 1815 showed a total subscription of £10,556 14s. 4½d. The total contribution of Montreal was £3,210 15s. 3d., of Quebec, £2,724 5s. 9d., of London, England, £3,333 15s. 8d. A number of subscriptions from Jamaica had a liquid sound —George Kinghorn, 2 puncheons of rum; John Jacques, 1 puncheon of rum; James Laing, 1 puncheon of rum, etc.

In the appeal which was made to the general public of London, Chief Justice Scott said of the Upper Canada militia: "Many though exempted by age from military duty scorn to claim the privilege, and it is not uncommon to see men of seventy leaving their homes and demanding arms to meet the enemy on the lines. Others too feeble to bear arms themselves are seen leading their sons to the military posts, and so strong is the spirit of patriotism among the people that it infects the greater number of those who have recently come to settle in the Province from the United States, and makes them efficient soldiers."

Major General Sheaffe as Administrator of the Province met the Houses of Parliament at York on February 25th, 1813, and delivered the following speech:(*)

"Hon. Gentlemen of the Legislative Council,

And Gentlemen of the House of Assembly,

It affords me the highest satisfaction that the first time I am called upon to address you in this place I have to offer you my cordial congratulations on the uniform success which has crowned His Majesty's arms in this Province. The enemy has been foiled in repeated attempts to invade it. Three of his armies have been surrendered or completely defeated, and two important fortresses have been wrested from him.

In this glorious campaign the valour and discipline of His Majesty's Regular Force have been nobly supported by the zeal and bravery of our Loyal Militia.

Succeeding to the Administration of the Government of this Province upon the lamented death of Major-General Brock who so nobly fell in its defence, it is grateful to me to announce to you the high sense of the services of that able and gallant officer manifested by His Royal Highness the Prince Regent, who has been pleased in His Majesty's name to associate him to the most Honourable Military Order of the Bath.

I have also the gratification of communicating to you that His Royal Highness has been graciously pleased to signify that the liberal appropriations which have been made by the Legislatures of both of the Provinces, to meet the expenses of the occasion, and the determined spirit of resistance mani-

*The Sessions of the War Parliament were as follows: First Session, July 27th to August 5th, 1812; Second Session, February 25th to March 13th, 1813; Third Session, February 15th to March 14th, 1814; Fourth Session, February 1st to March 14th, 1815; Fifth Session, February 6th to April 1st, 1816. The Journals of the Assembly for 1813 and for 1815 have never been found, but the Statutes in summary show the trend of the times. At the Session of 1813 there was an Act to authorize the Government to prohibit the exportation of grain and other food-stuffs and to forbid the distillation of spirituous liquors from grain; so that "war-time prohibition" is no new thing. A rate of 12s 6d a day was fixed as compensation for a team of horses and a waggon impressed by the military authorities, and 2s 6d was to be allowed for a driver. In view of the loss of the Journals the Royal Speeches of 1813 and 1815, as found in the "Kingston Gazette" are here reprinted.

fested by the Loyal Inhabitants, leave little apprehension of the result of any trial in which they may be called to prove their courage and perseverance.

Gentlemen of the House of Assembly,

I shall direct to be laid before you the ordinary account of the Public Receipts and Expenditure, as also of the fund granted in the last Session to be disposed of in the defence of the Province, against His Majesty's Enemies, and I feel confident that you will continue an appropriation for a similar purpose.

Honourable Gentlemen, and Gentlemen,

Doubts having been suggested as to the sufficiency of the late Crops to supply the probable wants of the Colony, it may be a proper object of your consideration to devise some means to control the export of grain, and the consumption of it in distillation, should circumstances require it during the recess of the Legislature.

The meritorious services of the Militia under privations which they unavoidably suffered in an arduous and protracted campaign, entitle them to the gratitude of the country and to your particular attention.

His Excellency the Commander of the Forces has been pleased to order clothing for a considerable proportion of the embodied militia of this Province, but as this does not extend to all the accessories required to the soldiers' comfort, I recommend to you the allowance of a sum to each volunteer or draft from the Militia to provide an outfit.

I think it proper to call your attention to the continuation of certain laws of essential importance to this Province, now about to expire, and to recommend to your consideration whether a revision of some part of the Militia Act now in force may not be necessary to make it more efficient.

I particularly request to be authorized to pay in advance, half-yearly, the annuity granted to widows and children, and to persons disabled in the service.

You will learn with great satisfaction that the most vigorous measures have been adopted under the direction of the Commander of the Forces, and are now in operation to strengthen the Provincial Marine and preserve the superiority on the Lakes, so essential to the safety of the Province.

It must be unnecessary for me particularly to recommend despatch in your deliberations. I will only add that you may rely on my hearty co-operation in any measure which may conduce to the welfare and security of the Province."—(*Kingston Gazette*, March 2nd, 1813, in the Provincial Archives).

In the Speech at Prorogation General Sheaffe said:

Hon. Gentlemen of the Legislative Council, and Gentlemen of the House of Assembly.

The diligence and unanimity with which the business of the Session has been brought to so speedy a conclusion, are highly creditable to you, and, in the present crisis, particularly acceptable to me.

In declaring His Majesty's assent to the several laws which you have framed I assure myself that the Public good will be promoted. The alterations which have been introduced into the organization of the Militia are yet to be submitted to the test of experience, and I hope that they will be productive of the expected benefit.

Your continued liberality in devoting all the surplus Revenue to provide means for the defence of the Province cannot fail to be highly gratifying to your Sovereign.

The aid afforded to the credit and circulation of Army Bills is calculated to produce beneficial effects, though their intrinsic value might have appeared not to require any other support.

If it should be found necessary to use the power reposed in the Executive Government to restrain the export of Provision, it will be exercised with due circumspection.

I acknowledge my personal satisfaction in the further provision made for the relief of those who may suffer by the casualties of war.

The character of the nation to which we belong is so frank and confiding, that she could not contemplate the actual result of the protracted negotiations with the Government of the United States—her aid therefore has not yet been fully extended to this insulted Province, but the designs of the enemy being now disclosed we may be sure that they will be encountered by the energies of a great and powerful people.

In the meantime the attention of the British Empire must have been attracted to this portion of it by the successful resistance to the repeated attacks of a numerous and prepared enemy. It behooves us the more therefore to maintain the high character already acquired—and I feel confident that on your return to your homes, your example and influence will be employed to sustain throughout the Province that spirit of zeal and loyalty which has hitherto distinguished all classes of His Majesty's subjects, and so notably supported the regular force employed in its defence.—(*Kingston Gazette*, March 23rd, 1813).

On May 10th, 1813, the following Militia Corps were in service: 1st York, Lieut.-Col. Graham; 2nd York, (the Burlington Regiment), Col. Beasley; 3rd York, Lieut.-Col. Chewett; 1st Glengarry, Lieut.-Col. McMillan; 2nd Glengarry, Lieut.-Col. Macdonell; 1st Prescott, 1st Grenville, Col. William Fraser; 2nd Grenville, Lieut.-Col. Buell; 1st Dundas, Lieut.-Col. Thos. Fraser; 1st Leeds, Lieut.-Col. Sherwood; 2nd Leeds, Col. Stone; 1st Frontenac, Hon. Col. Cartwright; 1st Addington, Col. William Johnston; 1st Prince Edward, Col. Archibald Macdonell; 1st Lennox, Major Crawford; 1st Hastings, Col. Ferguson; 1st Northumberland, Lieut.-Col. Peters; 1st Durham, Lieut.-Col. Baldwin; 1st Lincoln, Hon. Col. Claus; 2nd Lincoln, Lieut.-Col. Clark; 3rd Lincoln, Lieut.-Col. Warren; 4th Lincoln, Major Tenbrock; 5th Lincoln, Lieut.-Col. Bradt; 1st Norfolk, Lieut.-Col. Ryerson; 2nd Norfolk, Lieut.-Col. Nichol; 1st Oxford, Lieut.-Col. Bostwick; 1st Kent, Hon. Col. Bâby; 1st Essex, Col. Elliott; 2nd Essex, Lieut.-Col. Baptiste Bâby; 1st Middlesex, Col. Talbot. While on paper this force would be equal to 30,000 men, there were never more than 10,000 militiamen on duty at any one time, but clearly every community leader, from the members of the Executive Council down, was in active service. Some years afterwards it was said that the entire High Court Bench of Upper Canada had had battle-experience and two of the Judges bore scars of the conflict.

After the first campaign the belligerents discovered an elementary fact—that land fighting in Upper Canada was useless without control of the lakes. Since the roads were mainly bottomless quagmires, the water trade-routes were of supreme importance; the garrisons of outposts were dependent for

their daily bread and pork upon the success of some captain in tacking through. Accordingly in the Spring of 1813 Sir James Lucas Yeo, R.N., was sent by the Admiralty to Kingston as the chief naval officer; the Americans had made Sackett's Harbour a naval base with Commodore Isaac Chauncey in command. He had reported for duty in September, 1812, and used the winter to good purpose, arming several trade schooners with heavy long range guns and establishing a ship-building plant.

Yeo did not arrive at Kingston until May 7th, 1813, and found the situation anything but comforting. General Sir Roger Sheaffe, who had succeeded Sir Isaac Brock as commander of the forces and acting Lieut.-Governor, was better as a fighter than as an organizer. He and Governor Prévost permitted the establishment of a ship-building yard at York as well as at Kingston; thus supplies of all sorts which should have been concentrated at an arsenal behind heavy batteries were scattered, and invited raiders. On the ways at York was a thirty-gun frigate half-planked; beside her in the frozen mud of the dockyard lay the guns of her prospective armament.(*)

Chauncey wanted that frigate. Therefore the moment the ice went out of Sackett's Harbour he brought out his fleet and sailed westward, bearing besides his seamen an army of 2,000 men under General Henry Dearborn and General Zebulon Pike; the discoverer six years before of Pike's Peak in Colorado. The American fleet consisted of the *President Madison*, a 24-gun ship built in fifty-eight days, the *Oneida*, a brig, the *General Pike*, a ship-rigged corvette, and the schooners *Sylph, Scourge, Asp, Growler* and *Conquest*. On the morning of April 27th, 1813, in a light east wind the fleet hove-to outside the Western Gap and began to shell the garrison while boatloads of men made for the shore. Forty Indians and a few militiamen under Col. Givens disputed the landing but the Americans got ashore near the old French fort. Riflemen scattered into the near-by woods in chase of the Indians, killed a chief who had climbed into a tree and secured the flank of the infantry now forming on the beach. Not half a dozen effective guns were found in the whole place. The western battery, half a mile from the Garrison was armed with two old eighteen-pounders without trunnions, which had been clamped to pine logs. Two companies of the 8th Regiment, three companies of militia, a few men of the 49th, of the Royal Artillery, and some of the Royal Newfoundland Regiment and the Glengarry Light Infantry formed the garrison, not over 700 strong.

The progress of the Americans was opposed from point to point with severe loss to the defenders until the Garrison had to be yielded. Sheaffe had laid a fuse for the destruction of 500 barrels of gunpowder and the explosion killed over 200 Americans. Previously forty British soldiers had been killed by the explosion of an ammunition truck. With the re-

*Brock was of the opinion that Kingston was in a position too exposed and had recommended that the Navy Yard should be removed by degrees to York. In this opinion he had been seconded by Prévost, but one may doubt if a gradual transfer of a naval base in the midst of war is ever sound policy. Probably the responsible naval officers on Lake Ontario had other views.

mainder of the regular forces Sheaffe marched through the town and eastward along the road to Kingston, first setting the frigate and dock yard on fire, and leaving the militia to deal with the invaders who were in no gentle temper. They thought that the explosion was a meditated treachery since the fight was practically over. Among those mortally wounded was General Pike; he was taken on board the flagship, *President Madison,* and died on her quarter-deck in the presence of Commodore Chauncey.

The town was surrendered by Col. Chewett and Major Allan of the Militia and Lieutenant Gauvreau of the Provincial Marine, but ratification was delayed until Dr. Strachan made a spirited protest. In the meantime the soldiers had got out of hand, had burned the Parliament Buildings and had looted some private houses. Two years afterwards when President Jefferson made a complaint against the "brutality" of the British in burning the White House at Washington, Dr. Strachan wrote an elaborate open letter to Jefferson in which the following sentences occur: "In April, 1813, the public buildings at York, the Capital of Upper Canada, were burnt by the troops of the United States, contrary to the articles of capitulation. They consisted of two elegant halls with convenient offices for the accommodation of the Legislature and the Courts of Justice. The library and all the papers and records of these institutions were consumed. At the same time the Church was robbed and the Town Library totally pillaged .... Can you tell me, sir, the reason why the public buildings and library of Washington should be held more sacred than those at York? A false and ridiculous story is told of a scalp having been found above the Speaker's chair, intended as an ornament."

General Dearborn in his report to the Secretary of War had written: "A scalp was found in the Executive and Legislative Chamber, suspended near the Speaker's chair, in company with the mace and other emblems of Royalty. I intend sending it to you, with a correct account of the facts relative to the place and situation in which it was found." There is no further account by the General, and clearly Dr. Strachan treated the tale as a mere invention. In later times Robert Gourlay declared on the authority of a Member of the House that before the war a scalp had been sent in a letter by an army officer to the Clerk of the House as a curiosity. The Clerk put it in a drawer out of sight, being not a little disgusted with the taste of his friend. Probably some of the plunderers found the savage trophy and cited the discovery as justification for the burning of the place.

On March 14, 1814, the Assembly passed an Address to the Acting Lieutenant-Governor, Sir Gordon Drummond, which contained this paragraph: "In examining the general account of the Receiver-General we observe he has taken credit for the sum of £2,144 11s. 4d. paid to the Enemy to prevent the Town of York from being burnt. It appears to us, may it please Your Honour, that as proper measures had been taken for its security previous to the capitulation, and as no stipulation was made as to its being delivered up, that a private contribution should not become a public

charge against the Revenues of this Province. But admitting, may it please your Honour, that it was a correct charge, we apprehend a part, at least, of the amount must have been a Crown Revenue and that the whole should not be sustained by us." The gold reserve was spirited away by William Roe, the Receiver-General's clerk, and buried in the country near the Kingston Road until after the departure of the Americans. Chauncey and Dearborn withdrew from York on May 8th, after eleven days' occupation of the Capital, and ran down to Sackett's Harbour.

On May 27th, 1813, Chauncey's fleet bearing 3,000 men, under General Dearborn, appeared in the mouth of the Niagara River and landed near Mississauga Point at Crooks's Farm. The British force along the whole frontier numbered 1,400; only 650 of these, comprising detachments of the 8th Regiment, the 41st, the Royal Newfoundland, and the Glengarry Light Infantry, were at the point of attack. Stubbornly they maintained a rear-guard action right through the town of Newark and did not yield the day to the enemy until noon, evacuating Fort George and retiring towards Burlington. The British loss was 283 killed and wounded out of 650; a record which shows the nature of the resistance.

General Dearborn, having possessed himself of a base, pushed forward three thousand men to deal with General John Vincent, who had occupied the strong post at Burlington Heights. They were attacked by Lieut.-Col. Harvey and 704 men at two o'clock in the morning of June 6th, while in camp at Stoney Creek. Two American Brigadier-Generals, seven other officers, 116 men, three guns and a howitzer fell into British hands. The British loss was 23 killed and 127 wounded. Harvey withdrew his force before daylight lest the enemy should perceive the smallness of its numbers. In consequence of this action Dearborn retired to Fort George, being harried on the way by the guns of Yeo's fleet.

The strange action at Beaver Dams followed soon afterwards. The British right advance-post at this point was held by Lieutenant James Fitz Gibbon with a handful of soldiers and about 200 Indian scouts under a son of Chief Brant. The scouts annoyed the Americans so much that 699 picked men under Colonel Boestler were ordered to rush Fitz Gibbon's post and clear out the Indians. Laura Secord, the wife of a Niagara settler and militiaman, wounded at Queenston Heights, overheard two Americans talking of the surprise in store next day for the British at Beaver Dams. It was the evening of August 23rd, 1813, and she was on her way to milk the cows. At dawn she set out for the British lines, twenty miles distant. Through the forest she took her way, avoiding well-trodden paths, and guiding herself by the sure instinct of the pioneer. The woods had been drenched by a heavy summer rain and the heat was intense. Despite toil and discomfort the heroine pressed on until the Indian advance sentries found her and brought her to the officer in command. Her story confirmed information Fitz Gibbon had already received from his scouts and he was able to make his dispositions in certainty,

Boestler's force was harried by invisible foes from the beginning of the march. When it came into touch with Fitz Gibbon the Americans were outwitted by a stratagem. The Irish lieutenant allowed the enemy to see all of his thirty-four men in their red coats. Then, plunging under cover, the men turned their tunics inside out, put them on, and showed themselves again. As the lining was a dark green cloth the Americans imagined that a corps of riflemen or rangers was before them. Another change, and the red-coats appeared in still another position. Harassed by the Indian attack, and imagining that Fitz Gibbon was in force, the entire American column surrendered. Not a shot had been fired by the British soldiers.

After the affair at Beaver Dams the Americans were confined closely to Newark and its immediate neighbourhood. There were a number of outpost bickerings which tended to prove the alertness of the British force and to suggest the danger which might face the enemy should he undertake a general action. All the men of fighting age were in the field, and on June 19th in defiance of a promise given by General Dearborn, the more prominent male civilians of Newark were seized and sent to the United States as prisoners. These included, Hon. William Dickson, barrister, John Symington, Joseph Edwards, Andrew Heron, John Grier, John McEwan, merchants; James Muirhead, surgeon; John Crooks, clerk to James Crooks; John McFarlane, boat-builder; Ralfe Clench, Clerk of the Peace; John Powell, registrar; George Lane, usher to the Legislative Council; Jacob Ball, farmer; John Decew, R. Kerr, James Baldwin, T. Powis, Alexander Macdonell, William Ross, John Jones, J. Williams, J. Bradt, and two others named Baxter and Jones.

The Journal of the House of Assembly for 1814 reported four Members as prisoners with the enemy; namely, Alexander Macdonell, Ralfe Clench, John McGregor and William McCormick. The House also passed an address to General Drummond, Administrator of the Province, bringing to his notice, "the wretched situation of a number of our fellow subjects now languishing in captivity as prisoners of war in the United States of America, and who are without any prospect of being soon released." The Address continued: "We had hoped when the success of His Majesty's arms in Upper Canada had placed a considerable number of the enemy's Militia at the disposal of His Majesty's Government that in negotiating for their exchange some attention would have been paid to the claims of His Majesty's faithful subjects of Upper Canada, who had contributed so largely to the success of the first campaign and had suffered such heavy loss in arresting the progress of the enemy during the second." The non-combatants mentioned in the foregoing list were given passports on January 26th, 1814, to return to Canada.

During the whole of August and September the hostile fleets were manoeuvring up and down Lake Ontario, Yeo trying to engage the enemy in a heavy gale when his rolling schooners would be useless and Chauncey seeking to catch the British force in light weather. He would have been in

York again on September 28th to fill his flour bins had not Yeo been waiting for him in Humber Bay not far from the mouth of the river. There was a running fight in a moderate easterly breeze which caused great damage both to the *Wolfe* and the *Pike,* but was not decisive. Then Yeo steered for Burlington, hoping to bring the Americans on a lee shore. He himself drove his fleet through the shallow gap into Burlington Bay scraping the sandbar to do so and knowing that Chauncey could not risk his larger craft by following. The American clawed off and tacked down the Lake to Niagara believing that his enemy had been safely imprisoned for the season. Going in over a sandbar with a favourable wind was one thing. Getting out was another. But with the full moon of October came an easterly breeze that deepened the water on the bar. Then the anchors were carried out into the Lake by small boats and the ships pulled themselves across the shoal by manning the capstans. Yeo sent a flotilla of transports to engage the attention of Chauncey and thus was able to reach Kingston to refit. The naval commanders on Lake Ontario had fought a six months' draw.

Sickness appeared in the American camp about Fort George, and on the testimony of Dr. Mann, a surgeon with the enemy's forces, more than one-third of the men were in hospital at one time, with either typhus or dysentery. By December the position of the Americans on the Canadian side of the River had grown precarious, and General McClure, the American commander determined to evacuate Fort George. Before withdrawing to United States territory he committed an act of wanton brutality by burning the village of Newark on one hour's notice, rendering four hundred women and children homeless in the cold. The date was December 10th. The Washington Government disowned the act, but it had been done. Miss Janet Carnochan's "History of Niagara" gives a list of the property destroyed and assembles a series of anecdotes tending to show the hardship and misery of the people during the whole period of occupation, with its lurid ending.

Col. Cyrenius Chapin quarrelled with his superior officer, McClure, on the question of burning the town, and on June 13th of the following year carried the quarrel to the newspapers. A portion of his statement here follows: "The ill-fated town of Newark was burnt under his (McClure's) orders the night of the 10th of December, 1813. Here was exhibited a scene of distress which language would be inadequate to describe ..... In the destruction of the town he was aided by the most active exertions of Joseph Willcox (Willcocks) who had for a number of years resided in this pleasant village and had been patronized far beyond his merits; at the time when it became his duty as a man of justice and as a subject of His Majesty, whose Government he had sworn to protect and defend, he, like a cowardly sycophant, deserted the cause of his country, actually led a banditti through the town, setting fire to his neighbour's dwellings, and curs-

ing every American—applying the epithet of Tory—who disapproved of this act of barbarity."(*)

So very far had come the Irish gentleman of good family who arrived in York thirteen years before! McClure in a letter to the Secretary of War dated December 12th, 1813, said: "I have ordered Col. Willcocks to Buffalo with his corps. They are reduced to about 60 men. He was among the last to leave the place (Fort George.)"

Mallory had been in the Long Point region in November operating under the direction of Chapin, and securing recruits for the "Canadian Volunteers." In early December General McClure stationed the corps under Lieut.-Col. Willcocks and Major Mallory—"an officer of great merit"—at Fort Schlosser. On January 6th the Volunteers numbered 97, and, according to James Wadsworth writing on that same date to Governor Tompkins, Major Mallory had in effect the command of the American frontier. Apparently the Major sought in vain the confirmation of his temporary rank. The Headquarters staff at Batavia considered that Mallory's brevet had not emanated from a legitimate source, or been "predicated upon any prior regular commission."

General Sir Gordon Drummond, the first Canadian-born officer to hold the supreme command in Upper Canada, authorized an immediate attack upon Fort Niagara under the direction of Colonel Murray. The fortress was taken by combined surprise and assault on the night of December 18th after a particularly resolute and gallant action. Then the whole Niagara frontier on the American side was swept clear of enemy troops and in reprisal for the destruction of Newark, the villages of Lewiston, Youngstown and Buffalo were burned. General Drummond reported to Prévost the capture at Niagara of twenty-seven pieces of ordnance, 3,000 stand of arms, a number of rifles, ammunition, blankets, clothing, several thousand pairs of shoes, fourteen officers and 350 men. In the assault 65 Americans were killed and twelve wounded; a return which shows the desperate nature of the fighting. Generally the proportion of killed to wounded is about as 1 to 4.

At Presqu'isle on the southern shore of Lake Erie, Commodore Oliver Hazard Perry was stationed in 1813, charged with the considerable task of making a useful American naval force out of nothing. He was young, ardent and resourceful. Otherwise he would have been unable to do the impossible. Lake Erie was commanded by the British; with a fort at each end, backed by a river-base, and with a tiny squadron of war-ships. The *Queen Charlotte* was the flagship, a craft of about 400 tons; the *General Hunter* was an 80 ton brig; the *Lady Prévost,* the *Chippeway* and the *Little Belt* were little better than stinging gnats. But the squadron, small as it was, was big enough to hold the command of the Lake and a new flagship, the *Detroit,* was practically completed.

*Cruikshank: Documentary History of the War of 1812.

Behind the Erie sandbar on which there was only from five to seven feet of water, Perry lay with five little vessels, and spent the early summer in building five more; three schooners and two brigs, both bigger than the largest British ship. What the American hoped to do with these large vessels, which could not cross the bar without grounding, no one could understand. Commander Robert Heriot Barclay in charge of the British fleet kept Presqu'isle closely blockaded until there came an August storm. Then he ran back to Amherstburg and from there to Port Dover where he was detained long enough to attend a complimentary banquet, and too long for the good of the service. In the absence of the British fleet, Perry lightened his two big brigs, grounded them on the bar, and on either side of each vessel sank a large scow. Each brig was then "slung" on the sunken scows on either side; they were pumped out, and as they rose, they lifted the big vessel clear of the bar. In deep water the guns and ammunition were shipped, and from that moment Barclay's problem became insoluble. He was overweighted in ships and men. The command of the Lake had passed to the enemy and the supply route between east and west was cut. Barclay ran back to the Detroit River, but although his new flagship was launched and put into commission her full complement of guns never reached her. Even food grew scarce, for the long land-route from Burlington to Amherstburg was the only means of transport.

Barclay waited until he could wait no longer. Then he took a gambler's chance with loaded dice, and set out to fight the American fleet. He had fifty British seamen, eighty Canadian sailors, 240 soldiers who had been in garrison at Fort Malden and a few sharp-shooting Indians; 384 men in all. He dismantled the Fort, put the guns on his fleet and found the enemy at Put-In Bay on September 10th, 1813. The Americans had the *Ariel,* the *Scorpion,* the *Somers,* the *Porcupine,* the *Trippe,* and the *Tigress,* all schooners well manned and armed. The *Caledonia* was a small brig captured from the British early in the year off Fort Erie. The *Lawrence* and the *Niagara* were the two big brigs which had been "camel-ed" over the Presqu'isle bar. The fleet had 650 men on board. The *Lady Prévost,* commanded by Captain Rolette, was battered to a hopeless wreck in a few minutes. Then the *Queen Charlotte* closed with the American flagship *Lawrence* which floated a long blue pennant bearing the words of Captain Lawrence of the *Chesapeake* "Don't Give Up The Ship." The duel was savage, and the *Lawrence* suffered so badly that Commodore Perry transferred his flag to the *Niagara* which had been in the reserve line (not to the credit of Captain Elliott, her commander). Now all hope for the British was gone. Every ship was unmanageable and there was nothing left but surrender. Perry received the surviving British officers on the quarter-deck of the *Lawrence* (not the *Niagara*) accepted their swords, and then, like the gallant seaman he was, overwhelmed his prisoners with kindness and consideration. Seventy men were killed and 188 wounded in this Homeric struggle.(*)

*A spirited account of this action and other naval events of the war is found in Mr. C. H. J. Snider's fascinating book "In the Wake of the Eighteen-Twelvers."

Brigadier-General Henry Procter in command on the Detroit River was left "in the air" as the result of this battle. If he had been a first-rate soldier he would have realized the fact and made an early retreat, or else taken the advice of Tecumseh to make a stand. But he dallied until the American General W. H. Harrison landed below Amherstburg on September 27th, with four thousand men. Then his march towards Burlington was cumbered by an unnecessarily large baggage train and his dispositions were clumsy and amateurish to the last degree. The Americans caught the column at Moraviantown on October 5th and in a few minutes destroyed the effectiveness of a fighting force of 800 men. Yet Procter arrived at Burlington with 256 men and 53 horses — all unscarred, while Tecumseh, deserted and betrayed, had found the high fate of the warrior. The Americans burned the Indian village, which after the war was rebuilt on the other side of the Thames. The British loss was 12 killed, and 22 wounded; 33 Indians also were killed. The rest of the force was captured. The American loss was 7 killed and 22 wounded.

Procter was tried by court-martial, publicly reprimanded and suspended from rank and pay for six months. Considering the general severity of military discipline at the time the penalty seems to have been unduly light. It is true that the whole of the south-western country was lost when Perry won the action at Put-In Bay, but there was nothing to prevent a proper military evacuation of the frontier, with the burning of baggage, and the delivery of the whole remaining force at Burlington. Tecumseh said of Brock "Here is a *man.*" He had a small opinion of Procter. There is a tradition that he compared the two, saying that Brock said "*Come* and fight," while Procter said "*Go* and fight."(*)

Benjamin Drake's "Life of Tecumseh," published in 1841 at Cincinnati, summarized the testimony of eight Indians who had professed to have first-hand knowledge of the Chief's end. Four said that he was killed by the first fire from the American line; four declared that he was shot by a horseman some time after the commencement of the action. One said that Tecumseh was shot in the neck, another, that he was hit above or in the eyes; two others that he was killed by a ball in the hip; and two others

*An interesting story concerning the burial place of Tecumseh appeared in "The Globe" of Sept. 3rd, 1913, in a letter signed by Albert Greenwood of Hillsboro', N.H. The writer had received the information in 1851 from Joseph Laird of Florence, Ont., who was said to have ferried Gen. Procter across the Thames after the battle of Moraviantown. Joseph Johnson, a British scout, told Mr. Laird that he had helped to bury the chief, who had been instantly killed in the first minute of the fight by a bullet in the heart. His body was temporarily concealed by fallen leaves; at midnight it was removed stealthily and conveyed by Johnson and two Shawanee warriors to the bank of a stream where a hickory and a basswood tree were growing close together. Near at hand was an uprooted oak tree which had sent up sprouts along its entire length. There a shallow grave was made and the chief's body placed in it, after all marks of identification had been removed from the clothing.

Mr. Greenwood declared that he had discovered, after a month's search, a spot that seemed to be a likely one. "The owner seemed surprised, after admitting that he cleared that land in 1851, when the description of its trees in a state of nature was given but admitted its correctness, and when asked what he had found there said: 'The skeleton of a big Indian'." The farmer said that one thigh had been broken and a ridge had grown about the bone. The body of one dead Indian after the battle had been flayed by some white barbarians and "Tecumseh razor straps" were to be found in Kentucky for some years afterwards. Shane, the chief witness at the inquiry held the morning after the battle refused to identify the flayed body as that of Tecumseh, but told the Governor of Ohio that it was not, as the chief had had a broken thigh and the ridge around the fracture could be plainly felt.

that he was pierced by thirty bullets at the first fire of the American troops. Three testified that the body was mutilated and flayed, three said that it was not. One saw the body on the day after the action, lying on the battle ground, a second said that it was buried on the spot on the night of the battle, and a third that it was carried four or five miles into the woods and there buried. Black Hawk, the Indian Chief, declared that it was a fine Pottawatamy Chief in full feathers and war-paint whom the Americans mistook for Tecumseh.

Major John Richardson, author of "Wacousta," who was captured in the action, said in his "History of the War" that he saw a party of Kentuckians go to view the violated body and regretted that he had not joined them, as he had seen the Chief frequently and might have been able to ascertain the truth about the identification. Since it is known that Tecumseh before the action divested himself of his insignia of office and fought as a plain soldier in a deerskin shirt, the probability is that the Americans were deceived, and that the story of Mr. Greenwood may be correct. In any case, Tecumseh died at Moraviantown, and it is there an heroic monument should be erected to his memory.

On June 2, 1910, three Wallaceburg men, Dr. George Mitchell, Harry Smith and Charles Chubb, went to St. Anne's Island in the St. Clair and opened a grave which they believed was that of Tecumseh and in which they found the bones of a man of fairly large proportions. Against the protest of the Indians living there, they took them up and removed them to Wallaceburg, giving assurance that they would be returned after examination. The Indians did not leave the bones long in the possession of Dr. Mitchell and did not return them to the original grave. It was believed that they were re-interred secretly elsewhere.

A few days later there was a meeting of the Board of Trade at Wallaceburg at which one Matt Fisher appeared and said that his uncle, the late John Fisher, had known an old Indian who was with Tecumseh when he fell, knew where he was buried on the battlefield or near it, and had removed the chief's bones to St. Anne's Island some time in the sixties when the land at Moraviantown was being cleared up, and the original grave was likely to be disturbed. To mark the grave on St. Anne's Island there was a short stake with a British flag and Mr. Matt Fisher informed the Board of Trade that he had himself seen this flag and stake. It was also stated that John Fisher had placed a small wooden cross over the grave when the stake rotted down.

In the late Autumn of 1813 General Wilkinson had 10,000 men at Sackett's Harbour, and was preparing to co-operate with General Hampton's force moving northward from Burlington, Vermont, towards Montreal. The plan was to seize and destroy the naval depot at Kingston—with the aid of Chauncey's fleet, and a flotilla of batteaux — and then to sail down the St. Lawrence and form a junction with Hampton. News that the garrison at Kingston had been largely reinforced, convinced Wilkinson that

he would do well to leave Kingston alone in the meantime and start down the river.

While he was making his final preparations, Sir George Prévost heard from the east of Hampton's progress northward and determined to send Lieut.-Col. George Macdonell to the help of De Salaberry's meagre force of 300—all that lay between the Americans and Montreal. "Red George" had command of a newly organized light infantry regiment, composed of eight companies of French Canadians. When asked how soon he could start from Kingston for the east he said, as soon as the men had had dinner. He was too optimistic, but within twenty-four hours enough boats had been obtained and the force started cheerfully down the St. Lawrence River without a pilot. The date was October 21st. The rapids were safely run, Lake St. Francis was crossed in the teeth of a heavy storm, and the men marched twenty miles through the woods, arriving near Chateauguay just in time to be of the greatest service. The regiment had travelled over 200 miles in sixty hours, and had arrived at the rendezvous without a man missing. The battle of Chateauguay, on October 26th, 1813, was one of those incredible actions which figure not infrequently in the annals of war. Hampton had over 7,000 men, and 10 field guns; De Salaberry fewer than 1,000. Resistance seemed hopeless, for the Americans had a thorough knowledge of the British position, and had discovered the ford which was the weak spot in De Salaberry's defence. Yet by the timely sounding of bugles at various parts of the field, and by the accurate shooting of the Light Infantry men, the enemy was thrown into confusion and defeated, retiring across the border. The Canadian force lost only two killed and sixteen wounded.

Wilkinson not knowing of Hampton's defeat started down the St. Lawrence on November 5th with 300 boats, 12 heavy gunboats, and a force of 7,000 men. At Ogdensburg he divided his army, sending Boyd with 2,500 men to the Canadian shore, while he continued along the southern margin of the River. Boyd was attacked at Chrysler's Farm by 800 British troops sent down from Kingston, and there was a smart but indecisive action. The British lost 181, the Americans 300 killed and wounded, and 100 prisoners. As a result Boyd rejoined Wilkinson on the south shore and the American force went into winter quarters at Malone, remaining encamped until February 12th. Part of the force then returned to Sackett's Harbour, the rest going to Plattsburg. The retreat was harried by Canadian rangers and British troops, and the American general lost 100 sleighloads of stores.

Thus the land campaign of the Americans had been a long story of disaster. The Western Army had been shattered at Detroit, and the recovery of the place had been due entirely to the naval success at Put-In Bay. The Central Army had been beaten at Queenston Heights, and in following actions on the Niagara frontier. The Eastern Army had been halted by De Salaberry, and at Chrysler's Farm, and by the holding of

Michilimackinac the British had the support of the north-western Indians. The invasion of Canada had proved to be much more than "a mere matter of marching."

In an Address to the Prince Regent passed by the Assembly on March 14th, 1814, the following paragraph recounted the services of the Militia:

When it is considered, may it please Your Royal Highness, that the whole male population of Upper Canada able to bear arms does not exceed ten thousand men, and is scattered over a frontier of at least eight hundred miles in extent; when it is considered that nearly one half of these were embodied for the whole of the first, and a very considerable proportion for the greatest part of the last campaign and that they composed the principal part of the force which successively captured the forces of Michilimackinac and the army of General Hull: which carried by assault the batteries of Ogdensburg, which fought and gained the battles of Queenston; River Raison and Fort Meigs, and which repulsed the enemy under General Smith near Fort Erie; when it is known that in the disastrous affair near Fort George on the 27th of May last they were warmly engaged with the enemy and actually suffered as severely as His Majesty's Regular forces; when it is known that the greatest part of the transportation and provisioning of the forces in Upper Canada fell upon them, and that in such parts as have been visited by the enemy their properties have been plundered and destroyed, and themselves as prisoner carried away; when it is known that the whole efforts of the enemy during the last two campaigns have been directed towards the subjugation of Upper Canada and that it is yet unsubdued, we think, may it please Your Royal Highness, it will be admitted that the Militia of the Province have faithfully performed their duty; that their services have been largely contributed to the security of this portion of His Majesty's dominions, and that it was the duty of the representative of Our Sovereign to have laid before Your Royal Highness a faithful account of our services and our sufferings. It cannot have been represented to Your Royal Highness. Nevertheless such is the fact that many of our militiamen have fallen by the sword of the enemy; many have been disabled, and a large proportion of them have died from diseases contracted while in the field, and from being destitute of every comfort, our population has decreased. Our properties have been destroyed and hundreds are reduced to beggary and want without even the consolation of knowing that their exertions, their fidelity and their sufferings have been represented to their Government and to their Country, for the maintenance of whose rights they made such sacrifices and such exertions and to whose favourable notice they look forward as their greatest reward. In thus humbly representing to Your Royal Highness the situation of our constituents we have performed a duty imperiously required of us.

The Niagara campaign of 1814 began with the concentration of some 5,000 American troops at Buffalo under General Brown, and the easy capture of Fort Erie by the enemy on July 3rd. General Drummond holding a reserve of 1,000 men at York, established with some 3,500 men a fighting line from Burlington to Niagara. The invader had the advantage of the initiative and obviously his *rôle* was to strike swiftly and in full force before Drummond could gather up the skirts of his extended line. On the day following the capture of Fort Erie Brown moved northward and Drummond ordered an advance of 2,000 men under General Riall, his

second in command. The armies met at Chippawa on July 5th. At the first British charge the American militia broke and were dispersed, but the American regulars were made in a sterner mould and were admirably handled by Winfield Scott and Ripley. The British were outflanked and beaten, losing one-quarter of their force. Gradually during the next two weeks the defenders were pressed back. Brown had hoped for the co-operation of Chauncey in an attack upon Fort Niagara and Fort George, but the Commodore, realizing that Yeo was his "main job," and perhaps resenting the suggestion that he should serve as Brown's subordinate, declined to assist. Meantime an American militia Colonel burned the "Tory village" of St. Davids.

Brown resolved to strike across country from Chippawa to Burlington and cut the British line. He set out in strength on the morning of July 25th and almost immediately found himself in touch with the British, who concentrated at Lundy's Lane, seizing a slight hillock as a post for seven field guns. Here was the most desperate battle of the war. It began at six o'clock on the evening of July 25th. There were 4,000 Americans against 3,000 British, but considering the inexperience of the American militia, the armies were equally matched. For six hours the conflict raged about that gun-position. Again and yet again the Americans gained the rise only to be driven back by a bayonet charge. The regulars of the enemy fought with magnificent tenacity. The British force, well-drilled, resolute and admirably led, met every assault with iron steadiness. Each side had heavy losses, the British proportionately greater than the American, but neither could establish a clear supremacy. At length the American force retired to Chippawa and the British slept on the position they had held so steadily.

On May 14th, 1814, an American force of about 800 men in six schooners crossed from Erie, Pennsylvania, to the Long Point settlement and landed at Patterson's Creek. They were under the command of Col. Campbell. After plundering the village of Dover they burned twenty dwelling houses, three flour mills, three saw mills, three distilleries, twelve barns and some other buildings, alleging that the raid was in reprisal for the burning of Buffalo. Col. Campbell was brought before an American Court of Inquiry for his conduct on this occasion, and while military justification was found for the destruction of the mills, the Court determined that the burning of the houses could not be excused. There had been a threat of reprisals on the Atlantic coast by the British Navy which doubtless accounted for the trial of Col. Campbell.

Early in 1814 there was a British observation post at the village of Delaware on the Thames designed to make head against the small raiding parties which the Americans were continually sending into the western peninsula. This force of about 250 men was composed of Royal Scots, a detachment of the 89th Regiment, some Kent militiamen and a few

Rangers, commanded by Captain Stewart. The second in command was Captain James Lewis Basden, of the 89th Regiment.

A raiding party of Americans under Captain Andrew Hunter Holmes of the 24th U. S. (Tennessee) Infantry marched towards Delaware in the latter part of February intent upon surprising the post. On March 3rd Holmes received information from a renegade Canadian that the British were marching to meet him. He retreated to a creek about three miles east of the present village of Wardsville and established his force of 164 men on a rise, now known as Battle Hill. Trees were felled and an *abattis* constructed of logs and brushwood; water was poured on the hill and when it was frozen, snow was thrown upon the ice to make it more slippery. The British were not expecting a fight and Captain Stewart was at Delaware, Basden being in command of the moving force. He came in touch with the enemy about five o'clock on the evening of March 4th, 1814. After detaching his Rangers and Indians to attempt a flanking movement he made a frontal attack on the American position with the Regulars, but it failed owing to the ice on the hill. After an hour-and-a half of fighting the British withdrew, with fourteen killed and fifty-three wounded or missing. The Americans lost only four killed and three wounded, but they were in no position to press their advantage and they retreated rapidly to Detroit.

Captain Basden was among the wounded in this action, and also at the Battle of Lundy's Lane. In later years he had a distinguished career, and died in 1856 as a Companion of the Bath.

Willcocks's running mate in First Lincoln and Haldimand in 1812 was Abraham Markle (or Marcle) of the firm of Biggars, Markle and Company, millers, of Ancaster. He was elected for the western portion of the constituency which included Barton, Saltfleet, Glanford, Binbrooke, Ancaster, and the portion of Haldimand north of the Onondaga Village. It is supposed that he sat in the emergency session of July, 1812, and voted with Willcocks and other Oppositionists. When the House was prorogued and martial law was proclaimed Markle was arrested as a suspicious character and sent to Kingston on board one of the armed ships on Lake Ontario. Thence he was sent to Lower Canada for examination by Sir George Prévost. After affirming his loyalty and declaring that he was one of four brothers who had served in Butler's Rangers during the Revolutionary War, he was released on condition that he return to his home and devote himself to private business.

In the Autumn of 1813 when Americans made free with the western part of the Province Markle joined himself to a small American detachment of raiders under Lieutenant Larwell, which was operating between the Thames and Long Point. Henry Medcalf, a Lieutenant of the Norfolk Militia under Lieut.-Col. Henry Bostwick, assembled three sergeants and seven men and on December 16th marched to Port Talbot. There he was joined by two officers, a sergeant and seven men of the Middlesex Militia

and a sergeant and six troopers of Coleman's dragoons. The little force marched on to Chatham, still in pursuit of Larwell's men, and after being augmented by one lieutenant and eight men of the Kent Militia, discovered the enemy force fortified in the house of one McCrae. Sergeant McQueen of the 2nd Norfolk Militia broke in the door with the butt of his musket and there was a hot fight. The thirty-seven militiamen killed two of Larwell's men and captured forty. Only two escaped, one of them being Markle. Of the prisoners fifteen were inhabitants of the Province and were held on a charge of high treason.

The nature of Markle's subsequent activities is explained in a letter from Captain A. Sinclair of the United States sloop-of-war Niagara to the Secretary of the Navy. The date is May 27th, 1814. "I think it proper to inform you that General Scott sent, with a letter of introduction to me about two weeks since, a Captain Marcle, who it appears is a Canadian of respectable standing and one who has taken a decided and active part in our cause during the present war. He brought with him a confidential and enterprising man, selected by the General as a Spy. Through this man, who I have landed several times in the Enemy's country, Capt. Marcle has been enabled to correspond with his friends, who are favourable to our cause, and has gained considerable information as to the numbers, situation and movements of the Enemy in the Upper Province."(*)

On June 27th, 1814, thirty men in two whaleboats crossed from Sackett's Harbour to the site of Newcastle at Presqu'isle and burned a vessel of 90 tons on the stocks and a building containing naval stores.

Lieutenant Alexander Dobbs of the British brig *Charnwell* and Captain Copleston Radcliffe of the *Netley* stationed at Queenston in August, 1814, made a high resolve to give Sir Gordon Drummond a hand in his siege of Fort Erie. They considered the possibility of cutting out one or more of the three American war-craft anchored in front of the fort, despite the fact that not a British boat of any kind was swimming anywhere in Lake Erie. One would think that only an amphibian race would be useful in such circumstances.

Naval officers have always been resourceful. These two determined to portage the captain's gig of the *Charnwell* from Queenston to the upper side of the Falls, and after this minor preliminary to see what could be done. Under the direction of George Hyde, the volunteer mate of the *Charnwell,* seventy-five sailors and marines undertook the task of carrying that oaken boat weighing 1,600 pounds for seventeen miles to a point three hundred feet higher than water-level at Queenston. They reached the mouth of Frenchman's Creek at the head of Grand Island only to find that the rest of the River between them and the Fort was impassable by reason of alert American sentries. The disappointment was tempered by the discovery of five batteaux hauled up on the river-bank, and by the realization that, with the aid of Quartermaster Robert Nichol's convenient militia-

*Documents (No. 33) Niagara Historical Society.

men boat and batteaux might be carried a little farther southwestward eight miles through the woods to the shore of Lake Erie. The thing was done, and on the evening of August 11th six boatloads of hardy fighters embarked for a try at the American craft. They rowed to the mouth of the River, then, drifting down the current, were challenged by a sentry on board the *Porcupine.* Giving the explanation that they were bringing supplies to the *Somers* they continued on their course reaching the *Somers* and boarding her. In a few minutes the vessel was in British hands, but the fight aroused the crew of the third vessel the *Ohio,* although too late to withstand the attack of the second boarding party under Radcliffe. The British officer was killed but the schooner was captured. The *Porcupine* slipped her cable and made for the open lake, but two out of three was a good record, considering that the fight was the climax of an exploit that for difficulty and daring had not been excelled in the history of the British Navy.

The exhausting fight at Lundy's Lane had kept both armies quiescent for some three weeks. Then on August 15th Drummond tried to capture Fort Erie by assault but was repulsed with heavy loss. A counter-attack by the Americans was successfully resisted, though at great cost, but the enemy's forces were strengthening and Drummond was pressed back by General Izard who had with him about 3,000 men. The British paused at Chippawa but they had the moral backing of Yeo's fleet, now anchored at the mouth of the river. Izard could have driven the British back to Niagara but he would have been putting his head into a hornets' nest. He attempted a flank movement by the capture of Cook's Mills, twelve miles inland, but the place was too hot to hold. With this reverse Izard abandoned the invasion, blew up the fortifications of Fort Erie on November 5th and went into winter quarters. So far as the harried Niagara frontier was concerned the war was over.

On September 5th, 1814, there was a skirmish before Fort Erie, the American force being in command of Lieut.-Col. Joseph Willcocks, of the "Canadian Volunteers". The attack pressed back the British picket but Willcocks was killed by a musket-ball in the breast. Various American despatches refer to the bravery and efficiency of the former Sheriff of the Home District. One says that he "behaved worthy of a hero and a patriot." Whatever his errors of judgment and temperament from the time he began to consort with Weekes and Thorpe, through his stormy political career, he had at least taken the logical course. The man who dies fighting for a principle, however fantastic, at least gives proof of his sincerity and may be permitted to rest in peace. Concerning Willcocks, Robert Gourlay said in his *Statistical Account* compiled a dozen years after this period: "About the year 1806 a Sheriff of the Home District voted at an election contrary to the wish of the Lieutenant-Governor, and for this and for this alone, was deprived of his office. (*) To earn a livelihood the

*Why not? If a Sheriff in 1927 should engage in political activity he would be dismissed, even as Joseph was.

ex-Sheriff set up a newspaper, and, as may be supposed, made pretty free with the Governor." He added that Willcocks shouldered a musket at Queenston, but that afterwards on account of persecution he was driven to join the enemy and took a small number of Canadians with him. "I have heard Ministerial people confess," Gourlay concluded, "that Willcocks was cruelly used." On Sept. 17th Major Markle is mentioned in American despatches as taking part in a sortie from Fort Erie and behaving in a gallant manner.

About the middle of October, 1814, a number of American irregulars led by John Dixon made a raid on the settlement of Long Point with the avowed intention of killing Col. Talbot, Captain William Francis and possibly others who had been active in overcoming sedition in Norfolk County. Captain Francis was murdered and the house fired over his dead body. The men implicated in this affair included one Englishman, one Irishman, one Canadian half-breed and ten Americans. All of them had been residents of the Long Point settlement before the war.

A glimpse at the reasons which induced Benajah Mallory to withdraw from the Province is found in the Journals of the Assembly for 1817. Ann Bostwick of Woodhouse petitioned for a compassionate allowance in view of the services of her late husband, Lieut.-Colonel Bostwick, who had been a barrister. He had been employed during the war on confidential service by Sir Isaac Brock and his successors in the command. "When the regular troops were withdrawn from the London District, and a band of traitors and United States troops were collecting at Dunham's between the mouth of the Grand River and the Settlements at Long Point, *under the auspices of Mallory, Biggars and Crosby,* by a great exertion of his influence amongst the alarmed inhabitants he induced them to volunteer (at the risk of their everything when the troops were withdrawn) to go with him to dislodge the banditti collected at Dunham's, which they did under his command and received the thanks of Major-General De Rottenburg in general orders." Mrs. Bostwick added that when the enemy came to Dover they burned her husband's dwelling, barn, and office.

General Duncan McArthur made at least three raids into Upper Canada during the war; one in July, 1812, after General Hull had established himself at Sandwich and had issued his memorable proclamation, one in May, 1814, when his cavalry ran wild in the Talbot Settlement, and a third in the late Autumn of 1814. He left Detroit on this last expedition on October 22nd, with 600 mounted volunteers, 50 rangers and 70 Indians. Going by way of Baldoon on the *Chénal Ecarté,* he cut across country to the Thames valley and was at Moraviantown on the 30th. There he captured a British sergeant on the way to Burlington with news of the raid, and so was able to penetrate as far as Oxford before his presence was known to any but the settlers he annoyed. One November 5th he went to Burford—Mallory's old home—and thence to Malcolm's Mills where a volunteer force opposed him unsuccessfully. American reports say that in

this action the British lost 1 captain and 17 privates killed, 9 wounded, and 111 prisoners. They add that McArthur then penetrated as far as Dover and burned five mills. He had intended to form a junction with Izard at Fort Erie but found a further advance impracticable. General McArthur was a popular figure in the United States and in 1830 was Governor of Ohio.

The loss of Michilimackinac in the early days of the war had had a serious effect upon the American fortunes. The northwestern Indian tribes impressed by the swift success of Captain Roberts had remained pro-British and the business of the Northwest Company and other Montreal merchants trading in the interior of the Continent had not been endangered. The St. Mary River was as safe as the Ottawa, and the depot men at Fort William had nothing to fear. In the summer of 1814 an American fleet started up Lake Huron to put an end, if possible, to this condition, and to re-capture the famous Fort at the head of Lake Michigan. The *Lawrence,* the *Niagara,* the *Scorpion,* the *Tigress,* the *Caledonia* and the *General Hunter* formed the fleet—the last two vessels having been captured from the British on Lake Erie. Captain Sinclair was the naval officer in command. Besides the seamen numbering 500, there were one thousand soldiers under the command of Lieut.-Col. Croghan, and a number of field guns. The first objective was Machedash Bay, where the British were said to have a naval base, but there was no pilot familiar with the eastern shore of the Georgian Bay, with its myriad of rocky islands and dangerous channels and the discovery of the depot was found to be a task too intricate and too perilous to pursue. Therefore the fleet turned northwest and steered for St. Joseph's Island. The British garrison hearing of the approach of the enemy had evacuated the fort, but the schooner *Mink* owned by the Northwest Fur Company was becalmed in the neighbourhood and was captured. From her papers the Americans learned that the *Mink* was on the way to Sault Ste. Marie to transfer her cargo of flour to the *Perseverance*, another Northwest Company schooner which would go on to Fort William. A raiding-party was organized under Major Holmes. the victor at Battle Hill near Wardsville, but as it rowed the sixty miles upstream, Indians carried the news of its approach and the post at Ste. Marie was abandoned, while the *Perseverance* was scuttled and set on fire. The Americans were on time to put out the fire and to make temporary repairs, but when they attempted to run the vessel through the rapids she struck a rock and was wrecked. Balked of this useful prize the American raiders captured or destroyed provisions and Indian trading goods to the value of $100,000 and rejoined the fleet, now setting about the considerable task of reducing Michilimackinac. A landing was made on the west shore of the Island and the Americans started through the dense forest towards the Fort, which was commanded by Lieut.-Col. Robert McDouall of the Glengarry Light Infantry, and garrisoned by a detachment of the Royal Newfoundland Regiment, 140 strong, and by 150 Indians of the Folles Avoines nation from Green Bay.

The advance was broken by Indian scouts fighting from behind trees, and by a redoubt where heavy guns were posted. Major Holmes and seventeen others of the attacking force were killed and fifty-nine were wounded. The defenders had no losses. Plainly the attempt had been a failure, and the fleet sailed away intent upon capturing the last remaining British vessel on Lake Huron, the *Nancy*, which had been carrying supplies from Nottawasaga Bay to Michilimackinac. The *Niagara*, the *Tigress* and the *Scorpion* were detailed for this service and the rest of the American ships returned to Detroit.

McDouall sent a message by canoe to Lieut. Miller Worsley, commanding the *Nancy*, warning him of a probable attack. Accordingly Worsley took the schooner up the Nottawasaga River, anchored her under a high bank around the first big bend and built a block house. The Americans arrived, and by accident discovered the hiding place of the schooner. There was a smart fight and the *Nancy* was burned before the enemy could lay a hand on her. The crew disappeared into the woods, and none of the attacking force discovered that there was a second blockhouse a mile farther up the river where two batteaux and a canoe were concealed. The *Niagara* returned to Detroit, and the two American schooners cruised about Manitoulin watching for stray fur-canoes.

Worsley and his crew got out of the River and rowed to Michilimackinac! Then with additional rowboats and a full complement of 92 men they found the *Tigress* in the Detour channel, and on the night of September 3rd surprised her by boarding. The fight was furious but short. Soon the American schooner was in British hands and the soldiers on board were shipped in the boats to Michilimackinac under a strong guard. The flag was not changed; by reason of that stratagem the *Scorpion* was captured on the next day. As a result of the campaign, the British had doubled their armed force on Lake Huron and had retained Michilimackinac. They had lost two small trading schooners, but had gained the steady loyalty of all the Western Indians. The *Tigress* and the *Scorpion* were re-named the *Surprise* and the *Confiance*; their crews were landed at Nottawasaga and sent to Quebec as prisoners of war. The hulk of the *Confiance* lies in Colborne Bay, near Penetanguishene, where she was sunk after the war. The remains of the *Nancy* may still be found in the Nottawasaga River, the centre of an island formed about her bones by the shifting sand of the stream. Worsley Bay was named from her captain who in 1815 commanded H. M. brig *Star* on Lake Ontario.

During the winter of 1813-14 Yeo and Chauncey had fought for the control of Lake Ontario by building ships. The *Prince Regent* and the *Princess Charlotta* of 1,200 and 1,400 tons respectively were launched at Kingston. The *Superior* and the *Mohawk* slid off the ways at Sackett's Harbour, the first a 62-gun ship, the second a powerful frigate. Early in Spring Drummond and Yeo wanted to fit out an expedition against Sackett's Harbour, but Prévost declined to give them enough men. With the forces available they captured Oswego instead on May 6th, and destroyed some

of the stores intended for the fitting out of Chauncey's new vessels.

There were one thousand men of the Glengarry Light Infantry, the De Watteville Regiment and the Second Battalion Royal Marines, and five war craft, three of which sailed into the harbour and bombarded the fort while the soldiers under Sir William Howe Mulcaster assaulted in the rear and carried it, with a loss of twenty-two killed and seventy-three wounded. The sailing master of the *Montreal* lost his left arm. His name was James Richardson, formerly of the *Simcoe*. After the war he became a Methodist minister and ultimately a bishop. A great quantity of naval and military supplies was captured in this vigorous fight and the progress of Chauncey's plans was delayed.

On May 30th the British were less fortunate. A party of seamen was sent to Sandy Creek in search of a flotilla of naval stores on the way to the American shipyard. Every man of the party was either killed, wounded or taken prisoner. At last in early summer Chauncey's fleet was in a superior position and he hung off Kingston sending challenges to Yeo which that crafty Commodore ignored. He was waiting for the launch of his new flagship, the *St. Lawrence,* the most remarkable warship ever built in fresh water. She was 190 feet long. Her stem and stern posts were forty feet high. Her main yard alone used up all the timber of a one hundred foot tree. The timber was unseasoned but the anchors, capstans, rope, sails and the multitudinous fittings were brought from England. The ship was pierced for 102 guns, ranged on two gun-decks and drew 21 feet before her armament was aboard. On September 21st she was successfully launched and from that moment Chauncey issued no more challenges. He set to work on a ship to carry 120 guns but she was never finished. The war was ended on Christmas Eve by the signing of the Treaty of Ghent.

Says Samuel Perkins in his "Contemporary History of the Late War," published at New Haven: "The political changes in Europe had produced an entirely different view on the subject of the negotiations within the American Cabinet. All expectation of conquest on the Canadian frontier was at an end. The ability of the enemy to ravage and desolate the frontier and seaboard was now alarmingly increased, and with their ability, their disposition to do it had been abundantly manifested. The state of the public finances and the public credit had assumed a most unpromising aspect. If peace could be made on the principle of restoring things to the state they were in before the war there was no possible inducement to continue it. The subject of impressment had now ceased to be of any practical importance. Great Britain having more seamen than she wanted on hand, had no inducement to increase their number from American vessels. It was not expected that she would now yield a point for which she had risked a war under the most unfavourable circumstances."

The War of 1812 was in itself an indefensible and criminal blunder, a tragic consequence of wilful misunderstanding and political jugglery on the one side, and of high manners and tactlessness on the other. The British were afflicted by a leader, Governor Sir George Prévost, whose

vacillation and stupidity betrayed a naval force on Lake Champlain to its destruction and left the land generals with insufficient resources at times of crisis. But Prévost at Quebec was matched by the leaders at Washington and no British fighting general failed as completely as did General Hull. The Americans won a series of brilliant naval duels at sea and secured the command of Lake Erie, but the abdication of Napoleon gave Great Britain a freer hand and the blockade of the United States was soon complete. At Detroit, at Queenston, at Chateauguay and at Lundy's Lane attempts at invasion were made futile by good generalship and brave militiamen, and a new spirit of confidence was born among the people of Upper Canada.

Gordon Drummond, Administrator of the Province, met Parliament on February 11th, 1815, before news of the peace had come, and delivered the following Speech:

Honourable Gentlemen of the Legislative Council, and Gentlemen of the House of Assembly.

Since the last Session of this Legislature many important and unexpected events have taken place.

The European continent after having been long oppressed by the calamities of tyranny and of war, has at last been revived by the return of tranquillity and peace.

Contemplating with pleasure these glorious events which will transmit the names of men, and of nations, of the present day, with honour, to future generations; we have the additional gratification to know, that under Divine Providence this happy revolution in human affairs has chiefly been accomplished by the arms and councils of our parent state.

It would give me peculiar satisfaction to have it in my power to announce to you that the blessings of peace were extended over every part of the British Empire. But in this province the conflict is not yet at an end; we have still a most arduous contest to maintain.

With respect to internal policy, I deem it proper to recommend to your consideration the repair of the public highways—a measure, not only necessary for the accommodation of the inhabitants of the province, in their ordinary and commercial intercourses; but, more especially, for facilitating the movements of His Majesty's troops, so essentially requisite for the public protection and defence.

The same causes which induced the Legislature at the last session to suspend the Habeas Corpus Act, render it advisable that you take into your most serious consideration the expediency of further continuing that suspension.

Your attention will necessarily be called to such acts as require either to be continued or renewed. And such other matters as require the consideration of the legislature, your knowledge, grounded on experience, will suggest.

Gentlemen of the House of Assembly.

I have ordered the provincial accounts to be laid before you; not doubting but that they will be examined by you with your accustomed assiduity and attention.

Honourable Gentlemen of the Legislative Council, and Gentlemen of the House of Assembly.

It is unnecessary for me to enter into a detail of the military operations in this province during the last campaign. With pride and pleasure will every

loyal subject rejoice, that, notwithstanding the inequality on our side, in numbers, and the perseverance and avowed determination of the enemy, his Majesty's regular, and militia forces have gloriously sustained the high character of British soldiers, and have rendered every effort of the enemy to gain possession of this province, vain and ineffectual.

I need not exhort you, I trust, to use dispatch in conducting the business of the session. And I have only to add that I will enjoy particular satisfaction in concurring with you in every measure which can tend, in any way, to promote the peace, prosperity and happiness of this province.—*Kingston Gazette*, March 25th, 1815.

The Assembly in its formal reply to the Speech departed from custom slightly in the following paragraph:

"We have only further to congratulate your honour upon the successful issue of the exertions of His Majesty's regular and militia forces under your command, in driving the enemy from the Niagara frontier; they have truly sustained the high character of British soldiers under circumstances the more conspicuously glorious from the disparity of numbers with which they victoriously maintained the conflict; and we anticipate the most happy consequences from a lesson written in such indelible colours upon the minds of our inveterate and implacable foe."

Towards the end of January, 1816, a newspaper called *The Spectator* was established at the village of St. David's, Lincoln. In the issue of Friday, April 26th, there appeared a review of the War Parliament—1812-1816—in the form of a Letter "from a Gentleman at York to his friend lately returned to Niagara." In view of the scarcity of documents relating to the Parliamentary phase of the War, extensive quotations from this letter are subjoined. The writer—possibly an official—is frankly Tory in his outlook and perhaps dismisses too cavalierly the grievances of settlers and militiamen, but even when allowance is made for partisanship the picture of the times here presented is one to fill every Canadian patriot with pride: "This Parliament sat during a very arduous period; it may therefore be amusing, if not instructive for you to know whether the Members have acquitted themselves as the representatives of a free and loyal people—whether they have attended more to the good of the public than to their own private Views, Interests and passions; and whether during a time of uncommon pressure, and unexampled danger, they have not only afforded a proper example to their Constituents of patience and moderation in private life, but of courage and fortitude in the field.

"You will remember that in the Spring of 1812 our relations with our neighbours were very gloomy, and though not apprehensive of war some precautionary measures of defence appeared wise and prudent. Flank Companies (of Militia) were formed, not to exceed one hundred men each, or one-third of the strength of the Battalion from which they were selected. Before resort was had to the Ballot, Volunteers from the Regiment were admitted and such was the ardour of the youth that these companies generally consisted of the finest young men in the Battalion who were ambitious to excel in Military Discipline. But before these Measures came to any

degree of maturity hostilities commenced. The Flank Companies had been indeed formed, but they had not yet advanced far in Military knowledge.

"The declaration of War by the United States was totally unexpected and found us altogether unprepared; but though a Subject of wonder it was not a cause of dismay, and when General Brock assembled the new Parliament in July, 1812, the general wish appeared to be to adopt such measures as might rouse at such a crisis the patriotism of the people, and strengthen the hands of Government. Two Traitors, (Willcocks and Markle) who had become Members of the House by deceiving the people, attempted indeed to obstruct the measures of Parliament, but their attempt was vain. Their views were exposed, and the decision exhibited by the Majority which has seldom been surpassed. Finding at their meeting the Province actually invaded, half-measures were no longer to be tolerated. The provisions of the Militia Law, too weak for actual war, were strengthened and extended. They knew that their Constituents were willing to make every sacrifice to repel the enemy, and to give efficacy to the means of defence. Every person capable of bearing arms was considered a Militia Man, and liable to punishment if he refused when commanded to march against the Enemy. Clauses were introduced restraining in some degree the liberty of the subject during a state of war with the United States, a measure rendered absolutely necessary from the number of our Inhabitants who had emigrated from that Country. But in doing this the House proceeded with all possible moderation....

"On presenting the money bill to His Honour General Brock, President of the Province, the Speaker intended to make the following short speech, but the General's extreme anxiety to march against Hull hurried the prorogation and prevented its delivery.(*) 'In humbly requesting Your Honour's assent to this Bill in his Majesty's name, the House of Assembly have to regret that their means are far from being commensurate with their wishes; but they hope that as they have given all that was in their power, it will be graciously received—that it will be considered an earnest of that ardent zeal for the defence of the Province which their conduct shall uniformly exhibit, and of their determination to cling to that brave and illustrious nation of which they have the happiness to form a part, and which combats for the rights and liberties of the world.'

"In ten days they completed the measures for the defence of the Province, and before separating they published an animated Address to their constituents, which, after presenting them with the true character of their Enemies, the advantages we enjoy under the protection of Great Britain, and our excellent Constitution; and the dreadful consequences of subjugation to a foe which had already driven many of us from our paternal roofs, and the inheritance of our fathers; and calling upon us to show ourselves worthy of our parent State, concluded as follows: 'Persevere as you have

*This view, that Brock was impatient to get to the field, rather than annoyed by the extreme deliberation of the Assembly, is not elsewhere expressed. See his Report to the Executive Council, *supra*.

begun in your strict obedience to the Laws, and your attention to Military discipline; deem no service too costly which secures the enjoyment of our happy Constitution; follow with your Countrymen in Britain the paths of virtue, and like them you shall triumph over your unprincipled foe.' On finishing their Legislative labours the Representatives departed, not to peaceable occupations, but to the field. You saw them in all quarters animating and leading the Militia. Encouraged by their example and the great talents and energy of General Brock, the yeomanry became veterans, and were enabled with the assistance of a few regulars to capture two invading armies and to drive the enemy to his own shore.

"The Parliament assembled late in the Spring of 1813 and in a short Session of about fifteen days matured a number of wise laws, well-calculated for the defence of the Province and the annoyance of the Enemy.... The Parliament made such alterations in the Militia law as experience appeared to suggest. Among other improvements, it was determined to raise Regiments of Militia to serve during the war. In this the good intentions of the Legislature were not so successful as expected. The terms of Enlistment were unfortunately changed—the promise of a Crown reserve at the end of the War was undermined, a jealousy arose on the part of the sedentary Militia. The new Regiments were supposed by many to have too much the appearance of regulars. The Gentlemen employed to raise them meeting with such unexpected impediments were disgusted and became less active; and nothing but a determination to serve at such a crisis prevented many from resigning. To these and other causes, and not to the want of ardour in the young men to defend the Province is the failure to be attributed, for so few enlisted that the whole were consolidated into one Battalion. But this did not weaken the real energies of the Country, because the sedentary Militia were called as usual on every emergency. The distillation of spirituous liquors from grain was prohibited at this Session by law, from policy as well as good morals. The men being called so much out, many of the Crops were left to rot on the ground; it was wise, therefore, to preserve that part of the grain which had been received for the sustenance of Man....

"Many vicissitudes happened in the Campaign of 1813, owing in a great degree to the imbecility of the Governor in Chief and the Generals Commanding in Upper Canada. The resources of the Midland, Johnstown and Eastern Districts were lost or misapplied, or not properly called forth from the miserable arrangements of the Commissariat; which was the occasion of difficulties of the most serious nature. To cover their faults General de Rottenburg was induced to issue a Military Order respecting provisions; a Measure Warranted perhaps in these Districts by necessity, but necessity arising from the misconduct of the Commissariat department. Many things happened during the recess not pleasing to individual feelings; and particularly under this order shameful outrages were committed. For these and other reasons the Session of 1814 was expected to

be stormy. But the friends of the Country were agreeably disappointed; private and even general distress was forgotten amidst the pressure of the times; and the Members of the Assembly, with a greatness of mind that has been seldom surpassed, buried private subjects of complaint in oblivion and applied themselves with Alacrity to the preparation of new measures of defence.

"The Militia Laws were modified anew to meet the increasing danger of the Province, and measures were taken to facilitate the transportation of troops and stores in the most expeditious manner to their different destinations. Money was also granted to render the internal communication more easy by repairing the highways, building bridges, opening new roads. It having been found that many traitors were concealed in the Country by which a communication was kept up with the Enemy, and that in the absence of the more respectable part of the Community during War, they were not so easily discovered and convicted by the ordinary course of law; an Act was passed for a limited period empowering His Majesty to secure and detain such persons as were suspected of treason or adhering to the Enemy. The object was rather to prevent future evil than to punish them for the past—and such a law was evidently necessary, as the disaffected in some parts of the Country, under the conviction that we must be conquered began to be troublesome and in two Districts they had broken out into actual rebellion .... There was again during the recess great vicissitude in the progress of the war, but blessed by a kind Providence we were able at the latter end of the campaign to drive the Enemy out of the Province.

"Though the resources of the Country were rapidly exhausted and the Militia, harassed in some Districts by continual duty, and in others by frequent calls, were almost worn out; though many of them were disabled and many slain; yet this general distress did not abate the ardour of the people .... Entertaining no hope or desire for peace the Parliament met on the 1st day of February, 1815, and in full conviction of a long continuance of the war, the greater part of the Session was spent in making laws to suppress secret and open Enemies, and in preparing for a fresh campaign. Just as all the measures for these important purposes were completed intelligence of the peace arrived, which made them unnecessary. This news was received in gloomy silence—all were desirous of one Campaign more, and few could restrain their murmurs and indignation."

The letter continues by a reference to the universal joy at the return of Governor Gore, and mentions the Common School Law passed at the final Session, and then gives a general review of the ardent patriotism of the Members. A sharp contrast is drawn between the conduct of the Legislature of Upper Canada and Lower Canada, and the fact is recalled that the Lower Province suffered scarcely at all. "Very few of the Members of the Legislature of Lower Canada ever saw the face of the Enemy in the field .... They remained, therefore, indifferent or idle spectators, and

feeling little or no danger their narrow minds were engaged in domestic broils." The letter then names the following Members who were in active service: The Speaker, Hon. Allan McLean, John Macdonell, Robert Nichol, Thos. Dickson, Alexander Macdonell, Levius Sherwood, Mahlon Burwell, Ralfe Clench, James Durand, William McCormick, Isaac Swayzie, Grant Powell (Clerk of the House), John Chrysler, David McGregor Rogers, James Young, Richard Pattinson, Timothy Thompson, John Beikie, John Stinson, Robert Nelles. "Of the twenty-five Members composing the House of Assembly, nineteen were actively employed; some occasionally and others during the whole war. Several were driven from their homes and had their houses and property burnt and destroyed, and all were exposed to great privations. In Lower Canada it was, I believe, the reverse. Few of the Members were actively employed, nor were they so ready as their brethren in Upper Canada to volunteer their services. None lost their property or were particularly exposed, but their want of exertion did not extend to the inhabitants, who came forward on all occasions with the greatest alacrity in the defence of their Country; and displayed a bravery and steadiness in the hour of danger which justifies fullest confidence in their firmness and patriotism and loyalty."

## CHAPTER VIII.

### THE PROBLEMS OF PEACE.

Official letters of the post-war period frequently mentioned the fear that Great Britain might abandon Upper Canada. The actions of Sir George Prévost, the Governor, during the conflict had not been such as to inspire confidence and undoubtedly many military authorities were convinced that the Province was a mere outpost, difficult to defend, and unprofitable to hold. Further, there were indications that the Home authorities were not fully informed of the nature of the service rendered by the militia or of the sufferings and losses of the inhabitants generally. Robert Nichol who had been Brock's friend and Quartermaster-General of Militia and whose services merited cordial recognition, found himself wholly neglected, despite the fact that his personal fortune had been destroyed. His losses exceeded £5,500, yet for years he sought in vain for a settlement, even going to England to present his case.

William Halton, the Agent for Upper Canada in London, wrote to the Ministry in August, 1818, saying that he had had frequent letters from men who had assisted in defending the Province asking if it was intended that they should be paid for the losses caused by the war in which many had been ruined. He added that the Board appointed to investigate those losses had reported in July, 1816, but no relief had been granted. The forfeited estates of those who had joined the enemy were to be applied to that purpose, but they were first subject to the debts of the former owners, and it might be years before purchasers could be found for them. In any case their value would not produce one-sixth of the losses reported.

John Galt, who came to Canada on behalf of the Canada Company, also informed the Government some years later in a vigorous letter, of the just dissatisfaction which existed because the sufferers had been callously neglected. The total claims presented to a War Losses Commission exceeded £200,000 and only half of them were ever satisfied.

A second Commission for investigating War Claims reported to the Provincial Parliament in 1825. It was composed of Lieut.-Col. Joseph Wells, L. Foster, A. Baldwin and Thomas Ridout and its course was certainly not marked by extreme generosity. The Commission declared as inadmissible claims for goods lost in the United States during the war, thus shutting out military prisoners. Losses by burglary or plunder were thrown out, since "common precaution would have put goods out of reach." Charges for teaming Government Stores were not allowed, since the creditor must have neglected to put in his bill in time. The same argument forbade settlement for the rent of buildings used by the Government. Claims for crops ungathered were not admitted, since it was an unavoidable evil. Thus the 2,473 claims amounting to £449,877 11s. 7d. were pared down

to £193,036 14s.—the final award. On the suggestion of Galt, the British Government authorized a loan of £100,000 for satisfying the claims, and undertook to pay half the interest, the Province finding the rest.

The case of David Secord as set forth in his petition to the House of Assembly in 1842, shows the scurvy treatment accorded to many loyalist officers and citizens after the war by British army officers and administrators. It is no wonder that Robert Gourlay found eager listeners. David Secord was born in New York in 1759, and removed with his parents to Pennsylvania in 1772. His family was on the loyalist side during the Revolution, and David at the age of 18 entered the army and served in a Provincial regiment until 1784, being once wounded. He settled near Queenston and was named immediately as a Captain of Militia. In 1806 he was a Major in the 2nd Lincoln Corps and fought through the campaigns of 1812, 1813, and 1814. The petition continues: "Your petitioner was in every battle of magnitude fought in Niagara District, and in that of Chippawa about half of the 2nd Lincoln Regiment was killed. At Lundy's Lane, your petitioner commanded the regiment, Col. Thomas Dickson having left the Province after telling your petitioner that the country was gone."

Secord's property at St. David's was burned by the enemy on July 19th, 1814. "The value of the above property was laid before a Board of Commissioners in 1815 and the Board awarded me about £4,000. The Home Government disapproving of what this first Board had done, appointed a second Board in or about the year 1823, which made great deductions. The final amount awarded me was £2,645 with interest for fourteen years." Only twenty-five per cent. was paid and the residue was not made good until 1837. "Your petitioner has also to state that this partial and long delayed payment has placed him in unfortunate circumstances, having raised a large family of twelve sons and two daughters." In an address to the public, Secord contrasted the treatment accorded to him and his comrades with that given by the United States to veterans. He said that "British policy was to patronize the rich; the poor might beg."

"Whereas the glorious and honourable defence of this Province in the war with the United States of America," so begins the Preamble of an Act passed at the Session of 1815 to give relief to law students who were prevented by absence on active service from being called to the Bar, and to such young men as were about to be entered as students. The regulations governing entry to the Profession were eased for their advantage even as they were one hundred years later for the advantage of their fighting great-grandsons.

At the war-Session of 1814 Parliament had provided that pensions should be paid to the widows and children of militiamen killed on active service. The amount named was £20 a year. That Act was amended in 1815, broadening the qualifications of beneficiaries, but six years later there



BROCK'S MONUMENT ON QUEENSTON HEIGHTS

was still another amendment, as the following quotation explains: "The classes of militia pensioners are greatly increased, so that the public revenue has been found wholly unable to bear the charge thereby incurred." By this Act provision was made against misrepresentation and deceit by the appointment of Pension Boards to hear applications, and only the widows of killed or captured soldiers were admitted as eligible for the grant.

The sentiment of the country towards Sir Isaac Brock was expressed in the text of the measure for the appropriation of £1,000 to erect a monument to his memory at Queenston: "Whereas at the declaration of war by the United States of America against Great Britain the Government of this Province was administered with great uprightness and ability by the late Sir Isaac Brock: and whereas, by the wisdom of his counsels, the energy of his character, and the vigour with which he carried all his plans into effect, the inhabitants of this Province, at a time when the country was almost destitute of regular troops were inspired with the fullest confidence in him and in themselves, and were thereby induced most cordially to unite with, and follow him on every operation which he undertook for their defence; and whereas after having achieved the most brilliant success, and performed the most splendid actions, that truly illustrious commander, contending at the head of a small body of regular troops and militia against a very superior force of the enemy, devoted his most valuable life, the inhabitants of this Province reverencing his character, feel it a tribute due to his memory to express the same by a public and lasting testimonial." Not until 1824 was the first monument completed.

The Assembly of 1814 had appropriated £175 to purchase swords of honour for Colonel Murray, Inspecting Field Officer of Militia, and Major Kerby of the Incorporated Militia who had greatly distinguished themselves at the capture of Fort Niagara. Major Kerby's letter of appreciation which was read in the Assembly on March 6th, 1816, had all the stateliness of the times: "Should I ever hereafter be called upon to draw it in defence of His Majesty's Government, or of this Province, the recollection of this flattering remark of the approbation of my former services will animate my future exertions." Colonel Battersby of the Glengarry Light Infantry was also honoured with a sword.

Coincident with the ardent sentiment of patriotism shown by Parliament appeared a resolution to make pro-Americans feel the displeasure of the majority. The Assembly passed a rigorous Bill "to punish persons who may have violated their allegiance to His Majesty during the late war." Commissioners were named for each district to determine whether or not the property of certain individuals should be confiscated. The Journals of the Assembly of 1814 mentioned Joseph Willcocks and Abraham Marcle, as Members who had been found fighting in the ranks of the enemy, and the condemnation of them was without reserve.

There was a vigourous determination to prevent further trouble by barring the way to Americans who might desire in future to take up land in Upper Canada. Settlers were needed but the Government preferred immigration from the British Isles. "During the war," wrote Rev. Dr. Strachan in 1818, "the danger of the promiscuous introduction of settlers from the States was most severely felt. In several Districts where they were the majority, or supposed themselves to be so, rebellion was organized. This was particularly the case in the London District, and would have been still more so in the Home District but for the prompt energy of a few." Those who thought that there was no more danger of war believed that the restriction of immigration was unwise, but unfortunately they held the same opinion as a group of land speculators whose motives for the advocacy of the Open Door were too obvious to escape notice. The Members of Parliament and of the Executive preferred to be cautious. They had learned their lesson.

The destruction by the American Army of the Parliament Buildings and the Government offices caused so much inconvenience that the question of the suitability of York as the capital of Upper Canada was re-opened. Lieutenant-Governor Gore while in England was asked by Lord Bathurst to consider and report upon a suggestion that Kingston should be chosen. In answer he said, on May 30th, 1815, that some hardships would be the result of the proposed change, and reminded the Minister that on the removal of the Government from Newark to York, the officials had received grants of land which by the expenditure of money upon them had become valuable. If York were abandoned these lands would be of little value. He trusted, therefore, that if the Government officers were obliged to make a third establishment some compensation might be granted.

Rev. Dr. Strachan in a memorial against the proposed transfer expressed the opinion that the suggestion must have been made to the British Government by some military adviser who had never considered its expediency or its consistency with the general policy since the foundation of the Province. He continued: "Already respectable people are speaking of selling their lands and leaving the country, convinced that the removal of the Government to Kingston is preparatory to the desertion of the Western part of the Province."

This view was seconded by John Beverley Robinson, then Solicitor-General, but the more eminent inhabitants of Kingston, of course, were hopeful of a change. The Administrators, after the capture of York, had made Kingston their headquarters, since they were military officers. Gore was still considered as Lieutenant-Governor although he was absent from the country from 1811 to 1815. (*) In his absence the successive Ad-

*In answering a question in the Imperial House concerning Gore's absence from his post, the Ministry explained that the Governor was titular commander of the Militia: in war time, therefore, it was better for a soldier to occupy the post. Gore was held in England by the Government and was on half pay.

ministrators were General Brock, 1811 and 1812, Sheaffe, 1812 and 1813, De Rottenburg, 1813, Drummond, 1813 and 1814, Murray, 1815, Sir F. P. Robinson, from June 10th to October 1st, 1815.

During the long and bitter Session of 1816 the conflict between the Lower House and the Legislative Council was resumed with undiminished energy. On February 1st Ralfe Clench, Member for Second Lincoln, was escorted to his seat in the Assembly by the sergeant-at-arms, and on motion of Mr. Durand and Mr. Mears, the House determined that he must apologize to the House "for his intemperate warmth this day in animadverting on the conduct of an Hon. Member of this House, respecting a motion made by him in his place in this House." The vote was 12 to 7. Then Mr. Durand, seconded by Mr. Mears, moved that the apology should be considered as satisfactory. Chrysler, Nichol and Burwell voted in the negative.

Intemperate warmth appeared to be common. On March 26th Robert Nichol, member for Norfolk, made this apology: "Mr. Speaker; From respect towards this House and an anxious desire to comply with all the orders, I in obedience to their commands, have to apologize to this House for the expressions made use of by me on this floor yesterday, and which, with propriety, may be understood to apply to some Hon. Members thereof, and I am sorry that my intentions should be so construed as to have hurt the feelings of any Hon. Member of this House." The Journal adds: "And received a reprimand from the Speaker." The nature of this dispute is explained in the resolution of the Assembly passed on February 23rd: "That the Commons have with much regret to complain of the interference of the Honourable the Legislative Council with their most important privileges, inasmuch as they have sent down a Bill to the Commons, requiring their concurrence thereto, which from its essence and import, could only constitutionally, originate in the Commons House of Parliament, because that the Bill in question purports to affect the Revenue of this Province; the Commons considering it their exclusive right to originate all Bills of this nature."

On March 7th, 1816, at the request of the Legislative Council, the Assembly appointed a committee to confer with a Council Committee as to the means for procuring copies of the Journals of both Houses, which were burned by the enemy during the war. As a result a Joint Address was presented to the Lieutenant-Governor requesting him to procure the copies and giving assurance that Parliament would make good any expense incurred.

During the Session of 1816 the Assembly appointed a Committee Select on Finance of which Robert Nichol was Chairman. The report of that Committee was received on March 26th, and in summary was as follows: That the Revenue from ascertained sources for the current year would amount to more than £54,000. That the unascertained revenue was derived

from various sources; duties on articles imported from the United States, licenses to hawkers and pedlars, fines and forfeitures, arrears of duties imposed in Lower Canada on articles passing Coteau du Lac between Feb. 15th, 1813, and April 25th, 1814. The Committee complained of the backwardness of certain Collectors in remitting the public money in hand. The outstanding balance in 1814 was £1,966 16s. 10½d.; in 1815 it had reached "the enormous sum of £4,422 1s. 1½d." When to this amount was added the whole of the duties on shop, tavern and still licenses issued on and after January 5th, 1816, the total would be nearly £10,000.

"The evil to be apprehended from suffering the accumulation of these balances, exclusive of the loss of the use of the money to the Province, is that it may be a temptation to individual Inspectors to apply the money to their private purposes, by which it might not be in their power to pay it in if suddenly called for." The Committee was surprised to find that nothing had been done in consequence of the different Addresses of the House of Assembly with respect to the £2,144 11s. 4d. delivered up to the enemy at the time of the capture of York, and which had been charged entirely to the Provincial Treasury.

One more address was prepared on this subject: "The Commons House of Assembly have, for two years past, endeavoured, though without success, to procure the payment of the sum of Two Thousand One Hundred and Fifty-Four Pounds, Eleven Shillings and Fourpence, which it is contended was improperly charged against the revenue of this Province by the representatives of the late Receiver-General. We have ascertained, may it please Your Excellency, that a considerable part of the above sum was Crown Revenue and therefore it could not with propriety be charged against the Province. The Commons House of Assembly, being desirous of having the business finally settled, humbly request that Your Excellency will take such steps as to you will seem meet to have the said sum of Two Thousand One Hundred and Fifty-Four Pounds, Eleven Shillings and Fourpence, returned into the Public Chest." His Excellency promised "due consideration," but nothing happened.

The Speech from the Throne delivered on February 6th, 1816, had contained a paragraph admitting that the District Schools as established by law were not providing sufficient advantages for the youth of the Province. "The dissemination of letters is of the first importance to every class; and to aid in so desirable an object I wish to call your attention to some provision for an establishment of schools in each Township, which shall afford the first principles to the children of the inhabitants and prepare such of them as may require further instruction to receive it in the District Schools. From them it seems desirable that there should be a resort to a Provincial Seminary for the youth who may be destined for the professions, or other distinguished walks of life, where they might attain the higher branches of education."

The legislation which followed this announcement is Chapter 36 of the Statutes of 1816, and was the real beginning of the school system of the Province of Ontario. The Government proposed an appropriation of £6,000 to aid in the establishment of Common Schools. The allotment to the various Judicial Districts was as follows: Home, £600; Newcastle, £400; Midland, £1,000; Johnstown, £600; Eastern, £800; London, £600; Gore, £600; Niagara, £600; Western, £600; Ottawa, £200. As soon as a competent number of persons should unite to build or provide a schoolhouse, and engage to furnish 20 pupils or more, they were empowered to name three trustees who would have the right to appoint a teacher, provided that he were a British subject. The trustees were to have authority to make regulations for the government of the school and to dismiss the teacher if his work were not satisfactory or his character were open to question.

A district Board of Education was to be formed to which reports as to the work of each school were to be made quarterly. A teacher "on producing a certificate of having well-demeaned himself," would be entitled to his proper proportion of the Government grant, which was not to exceed £25 annually.

The Common School Bill was drafted by a committee under the chairmanship of James Durand. The preliminary report of that committee declared that the District School institutions had fallen short of expectations, that the people among themselves had shown a laudable zeal to promote education and that this zeal should be fostered and encouraged by Government.

An instance of this zeal had been given in particular by the people of Williamstown, in the County of Glengarry, who had erected at a cost of £300 a frame schoolhouse, 40 feet long, 30 feet wide and 16 feet in the height of the walls, opening it on January 2nd, 1815. The names of these educational pioneers were Alexander Mackenzie, D. Macpherson, Donald Fraser, Peter Ferguson and John Wright.

The Committee also expressed the opinion that a University "should hereafter be established" where the Arts and Sciences might be taught to the "youth of all denominations."

The Parliamentary Session of 1817 began, continued, and ended in disputation of the most ardent type. Under Governor Gore a purchase of lands from the Mississaugas had permitted the settlement of the north shore of Lake Ontario west of York, and two new Counties had been formed, Wentworth and Halton. No provision had been made for representation of these Counties in the Assembly, since the General Election of June, 1816, had been conducted on the old Distribution. The first duty of Parliament, therefore, was to pass the necessary Statute and to provide for the bye-elections. James Durand, who had been in the last House, was elected for Wentworth, and Moses Gamble for Halton, but both were

unseated, one for libelling the Assembly in his election address, the other because he had recently come from the United States and had not been a *bona fide* subject of the King for fourteen years.

Durand's address was full of colour. In speaking of his first election in 1812 he said "Your political vessel, freighted with your laws and liberties, was blown about to and fro at the will of the military storm, and your seamen and pilots (the Magistrates) had abandoned her to the merciless tempest. It was then, my friends, when the troubled sea ran high that I offered my little barque to you to tow her into port; 'twas then I launched my pinnace from the shore to use my humble efforts for you when no larger barque would show its head." He cited the alleged threat of General Vincent to burn the houses over the heads of those militiamen who did not obey his call, the menaces of other officers and the action of Colonel James of the Thirty-Seventh Regiment, stationed at Burlington, who placed military guards on all the roads with orders to stop all sleighs with provisions on board and seize them for military stores. There was a savage, satirical attack upon "that immaculate, reformed, refined gentleman" Squire John Willson of Saltfleet (*) who had been the Member for West York, and the Address concluded with an appeal to elect the writer and "convince the tools of corruption that the path to the people's patronage is honest, independent conduct."

On motion of Robert Nichol and Mahlon Burwell, the Assembly resolved that Durand should be committed to the Common Jail of the Home District, having been proved to be the author of a false, malicious and scandalous libel reflecting seriously on the conduct of His Excellency the Lieutenant-Governor, the former House of Assembly and of individuals who were now Members of the House. Mr. Durand did not wait for the execution of the Speaker's warrant for his commitment. In consequence he was adjudged guilty of high contempt and a flagrant breach of privilege, was expelled from the House and declared incapable of serving in the present Parliament. The motion carried by a majority of one, but Mr. Durand was re-elected by Wentworth and was sworn in once more at the beginning of the Session of 1818. Richard Hatt succeeded Moses Gamble as Member for Halton. He was the purchaser of Willcocks's paper in 1812.

On January 31st, 1817 "Adam Dixson" (Dixon) of Cornwall petitioned for the exclusive right to construct locks for the improvement of navigation at Moulinette and Mille Roches in the Township of Cornwall, and to take tolls of passing vessels, under regulations to be fixed by the House. His application had the endorsation of a number of Montreal merchants. A counter petition from Alexander Hover, also of Cornwall, declared that before the erection of Dixson's mill at the Moulinette there was a good

*His portrait is in the Toronto Reference Library.

channel for batteaux, but the mill had been built in the bed of the batteau channel and the River had been dammed so that the whole body of the St. Lawrence ran through a space of about forty-five feet in width. The current was so swift, in consequence, that a loaded boat could not be brought up. Mr. Hover had already built a lock to overcome the difficulty at a cost of between two and three hundred pounds and asked that he be permitted to retain possession of the lock and make such other improvements as he might deem necessary. There was a third petitioner on this subject, David Sheek, who had prepared plans in consultation with the Engineer and Quartermaster-General and desired to carry them out either on a toll franchise or by grant of Parliament for the purpose. The whole question was referred to a Committee on Navigation which reported in favour of Hover. This was the official beginning of the movement which was to result in the construction of the St. Lawrence and the Welland Canals.

The military plan approved by the Duke of Wellington for the betterment of communication was to improve the Ottawa River by constructing a canal to overcome the rapids between Grenville and Carillon and then to make use of the Rideau waterways from the present site of Ottawa to Kingston. Since that would entail the construction of a series of locks to conquer the Rideau Fall and other obstacles the expense would be considerable, therefore in 1822 the military authorities began the construction of a road from Richmond Landing in the Township of Nepean to Perth and thence towards Kingston, laying away the Rideau Canal plans for future consideration. In the meantime Lower Canada granted £35,000 towards the building of the Lachine Canal and £25,000 towards the Grenville project. Lachine Canal was opened on July 17th, 1821.

Legislation was under review during this Session to make illegal the sale of liquor on Sunday, to erect the Long Point Lighthouse, to prevent forest fires, and to regulate the practice of Medicine.

The Bank of Upper Canada applied for incorporation and Parliament was favourable to the petition, but the Royal assent was temporarily withheld. Perhaps the most important action taken at this Session had to do with the financial administration of the Province. From the beginning of Upper Canada the British Parliament had appropriated annually a large sum for the Civil Government of the Province, and this subsidy was augmented by Customs dues, license fees and other forms of local taxation. After Waterloo Great Britain had an enormous war-debt and a policy of retrenchment was made necessary. Accordingly in 1816 when the Administration of Upper Canada looked to the War-Chest for the balancing of the Budget, Sir John Sherbrooke at Quebec issued a warning. He would grant £2,500 but in future he would not be able to do so.

The Estimates presented in 1817 were as follows:

| | £ | s | d |
|---|---|---|---|
| Administration of Justice | 2578 | 0 | 0 |
| Lieutenant-Governor's Office | 900 | 0 | 0 |
| Receiver-General's Office | 737 | 0 | 0 |
| Surveyor-General's Dept. | 2,300 | 0 | 0 |
| Executive Council Office | 650 | 0 | 0 |
| Crown Office | 36 | 0 | 0 |
| Attorney-General's Office | 900 | 0 | 0 |
| Secretary's Office | 400 | 0 | 0 |
| Register of the Province | 200 | 0 | 0 |
| Inspector-General of Public Provincial Accounts | 620 | 0 | 0 |
| Four Clergymen | 400 | 0 | 0 |
| Pensions to Wounded Officers, Prince Regent's Order | 620 | 0 | 0 |
| One Minister of the Gospel resident at Cornwall | 50 | 0 | 0 |
| Repairs and Contingent Expenses of Government House | 200 | 0 | 0 |
| Casual, incidental expenses paid by Lieutenant Governor's warrant | 500 | 0 | 0 |
| | £10,281 | 0 | 0 |
| Deduct net amount of duties, rents, fines and Survey money applicable to the payment of the expenses of the Administration of justice and Civil Government | £2,000 | 0 | 0 |
| Excess to be provided for | £8,281 | 0 | 0 |

On March 12th, 1817, Mr. Cotter the Member for Prince Edward reported the following resolution which was unanimously adopted: "Resolved that it is the opinion of this Committee that a supply be granted to His Majesty amounting to Ten Thousand Two Hundred and Eighty-One Pounds Sterling to enable him to defray the expenses of the Administration of Justice and the Civil Government of Upper Canada for the year 1817, not provided for by the Imperial Parliament of Great Britain." The Governor in his Prorogation Speech said that he had great satisfaction in acknowledging the readiness manifested to meet these exigencies.

Financial administration was greatly complicated in Upper Canada by controversy with the Lower Province with respect to the division of Customs dues. Since all imports were by way of the St. Lawrence the duties on goods intended for Upper Canada were collected by Lower Canada officials and allotted to the two Provinces under a succession of agreements made by Commissioners of the Provinces. On May 31st, 1817, an agreement was concluded between Thos. McCord, Austin Cuivillier, Denis Benjamin Viger and Samuel Sherwood representing Lower Canada, and William Claus, Thos. Clark and Allan McLean of the Upper Province, providing that Upper Canada should be entitled to one-fifth of all duties collected at the Lower ports. The Upper Canada Commissioners claimed in addition for arrears not paid between 1813 and 1817 £10,845 15s. 7½d.

Hon. Samuel Smith, of Niagara, became Administrator of the Province in 1871 on the departure of Lieutenant-Governor Gore. In his Speech at

the opening of Parliament he suggested the advisability of resuming the former practice of setting aside annually a sum towards the building of Public Offices. Mr. Burwell and Mr. Van Koughnet were appointed by the Assembly to confer with the Legislative Council on that portion of the Administrator's address. After the destruction of the Parliament Buildings in 1813 the brick walls had been repaired and the place refitted to serve as a barracks. Temporary accommodation was provided for the Legislature, first at Frank's Hotel on King Street near Berkeley, and then in a house owned by Attorney-General William Firth and situated at the corner of York and Wellington Streets.

Peter Robinson and Grant Powell were appointed as Commissioners to secure plans and erect suitable buildings on the site of the "elegant halls" destroyed by the Americans. The appropriation for plans was £157 10s.; for the construction, £1,500, for extras, £333 13s. 7d., a total of £1,991 3s. 7d.—approximately $8,000. The Buildings were opened in 1820 and served the needs of Parliament until December 30th, 1824, when they were destroyed by fire. The furniture and the library were saved but some records were consumed. To-day the site of this nursery of Democracy where the pageantry of a Georgian Court was wont to appear, in contrast with the workaday homespun garb and manners of the pioneers, is a dreary waste bounded by the dull retorts of a gas plant, by dusty coal yards and by tottering buildings. Only as one looks out over the Bay is it possible to reconstruct the pleasant scene that met the eyes of our grandfathers when this square was the heart of Upper Canada.

In the Estimates of 1818 there were two items distasteful to the majority of the Members of the Assembly; namely, £750 as pensions for wounded Militia officers, and £700 for seven clergymen and teachers. In addition the Government seemed reluctant to submit to the Assembly detailed accounts as to the expenditure of a grant during the previous session. The consequence was a bitter quarrel between the Assembly and the Legislative Council which was officially begun by a refusal of the Lower House to admit the right of the Council to amend a money Bill. The Legislative Council by resolution declared that the Parliament of Upper Canada was a Limited Legislature, deriving its powers, rights and immunities solely from the Statute of 1791. For that reason the Legislative Council had never assumed that it had all the rights of the House of Lords in England, and it contended that the Assembly had not all the rights of the British House of Commons. Therefore the Council did not consider it reasonable that its amendment of a Bill to regulate Trade between Upper Canada and the United States should be considered as a breach of privilege. The reply of the Commons, drafted by James Durand, was not lacking in energy. The final paragraph was as follows: "That the assertion of the Legislative Council that the House of Assembly, in adopting as its type the Commons House of Parliament, and claiming all the powers, immunities and privileges thereof, is not justified by the words or spirit of its constitution more than the Legislative Council

would be justified to assume for itself and its members the powers, immunities and privileges of the Upper House, may safely be admitted and appreciated, as Your Committee do the gift to this Colony of the glorious, unmutilated boon of the British Constitution in all its plenitude of power and privileges, avowed by the Lords and Commons in Parliament and confirmed by the Speech from the Throne of His Excellency, John Graves Simcoe, at the opening of the first Parliament in this Province. Your Committee cannot yield to the impression that Your House will ever be induced by weak example to compromise its undoubted and invaluable rights."

In consequence of this Report the Assembly unanimously passed the following resolutions which have an important bearing on the Constitutional History of Ontario and of Canada:

That this House in persisting in their right to reject all amendments made by the Legislative Council to Bills for raising and appropriating moneys, and to decline all conferences thereon, are assuming to themselves no new privilege, but are only adhering to the form of proceeding which has been maintained from the first establishment of the Provincial Legislature, and in which they have taken for their guide the representative form of constitution in the Mother Country, by which that of this country is modelled, and by which the Legislative Council have in all their proceedings equally governed themselves; whatever it may suit their present purpose to disclaim.

That as this House desire to make no innovation, so they are determined to suffer none, but will persist in maintaining in all their deliberations those rules which they have found established, and which, being coeval with their constitution, they consider it would be as inconsistent with their duty as it is repugnant to their inclination to abandon.

That the gracious speech of His Majesty's representative, John Graves Simcoe, Esquire, at the opening and prorogation of the first Parliament of this Province and the answers thereto be entered on the Journals of this House; that part of the Journals having been destroyed by the enemy in the late war.

It was in these utterances that Governor Simcoe had declared the Province to be singularly blessed, "not with a mutilated constitution but with a constitution that has stood the test of experience and is the very image and transcript of that of Great Britain."

The *impasse* was complete and public business came to a standstill; save that the Assembly voted the money required "by Address" and then drafted a complaint to the Prince Regent. The final Report of the Select Committee on the Public Accounts protested against the grant of special pensions to Judges, even at the direction of the Prince Regent, without the approval of Parliament. Objection was taken also to the payment to clergymen as an Executive act without regard to Parliament. The pensions to wounded officers were objectionable "because by several Acts of this Province provision has been made for this description of persons, and most properly it may be expected that the voice of Parliament should estimate and reward the services of individuals when that reward is drawn from the public funds." Finally the Report insisted that there should be a full detailed statement of all money passing through the hands of the Receiver-General.




SIR PEREGRINE MAITLAND

From the painting in the John Ross Robertson Collection

Parliament was prorogued on April 1st, 1818, its business still uncompleted. Such was the political condition of the country and the Legislature when Sir Peregrine Maitland began his ten years' term as Lieutenant-Governor.

Sir Peregrine Maitland was a handsome personage with an air of amiable melancholy (possibly after Byron). It is not surprising that Lady Sarah, second daughter of the Duke of Richmond and Lennox, ran away from the Ducal residence in order to marry him. Reconciliation soon followed and the Duke became fond of his son-in-law. The Maitlands were present at one of the famous entertainments of history—the Duchess of Richmond's Ball, given at Brussels in June, 1815, on the eve of the Battle of Waterloo. On that famous field Sir Peregrine was in command of the first brigade of the first British Division, composed of the 2nd and 3rd battalions of the First Foot Guards, a fact that will indicate his reputation and experience as a soldier.

Save for the appointment of pound-keepers, fence-viewers and such other petty officials as were necessary to carry into practice the resolutions of the town meeting, the people had no part in the local government of their own communities. The Magistrates assembled in Quarter-Sessions were the municipal rulers and in many instances their views were at variance with the prevailing sentiments of the neighbourhood. They were appointed by the Provincial Administration, often on the recommendation of some hard-boiled permanent official. In the London District, it is said, the Clerk of the Peace determined who were to be the Justices and as his views were erratic and his social hatreds fairly strong, the result was what might have been expected. The Magistrate knew exactly the political views of every elector, for open voting prevailed; if his Toryism was of vindictive quality, he had plenty of opportunity to make the rule unpleasant. The haughty and often insolent bearing of the Magistrates towards Dissenters also was a cause of offence, and stiffened non-conformist resistance to the Establishment of the Church of England. Any religious creed and practice favoured by the Magistrates was bound to be disliked by the average settler, who found himself in a hopeless situation.

Reform either in local government or in Provincial Administration seemed more distant than the fixed stars. The election of an Assembly hostile towards the Lieutenant-Governor and his central bureaucracy had no practical effect; every promising measure which passed the Assembly was sure to be rejected by the Legislative Council which was dominated by the Government and had the Chief Justice as its Speaker. Under a Constitution which had the form of that of Great Britain the Province was ruled by a Directorate which did as it pleased and confessed no responsibility save to the Colonial Secretary four thousand miles away. The people of the Province had been used to something better. British and Irish immigrants had the political sense, settlers from the United States knew exactly in what points their freedom was cabined and confined. Both classes resented the

continual accusation that their discontent sprang from a desire to overturn the Constitution and substitute Republicanism for Monarchy.

The colonizing lord, Thomas Douglas, Earl of Selkirk, founded a settlement of Scottish folk at Kildonan on the Red River in 1811. It was the first attempt to sow the seeds of civilization on the great plains and naturally it was resented by Indians and fur-traders. Since Lord Selkirk owned a majority of the Hudson's Bay Company stock, no effective objection could come from that source, but the Company's great rival, the North-West Company of Montreal, harassed the settlers until a little war broke out. Selkirk's representative, Governor Semple, and twenty-one others were slain by Indians and North-West voyageurs at Seven Oaks, near Kildonan, in June, 1816, and for a time the settlement was ended. When the news reached Lord Selkirk he came to York, surrounded himself with some disbanded soldiers and started west by way of Georgian Bay. On his arrival at Fort William, the chief post of the North-West Company, he produced warrants for the arrest of the servants of the Company, but went further by seizing the Fort itself and commandeering the supplies. The Company, after vainly seeking at York a warrant for the Earl's arrest, found Francois Bâby of Sandwich in a more complaisant frame of mind and secured authority for His Lordship's arrest on a charge of stealing 83 guns, the property of the Company. Dr. Mitchell, J.P., of Drummond Island, was also prevailed upon to issue a warrant against him for rioting. William Smith, deputy sheriff of the Western District, centred at Sandwich, went to Fort William to arrest Selkirk but found himself arrested instead and kept a close prisoner at the Fort until May, 1817, when the Earl set out to meet his accusers. He took a sufficiently roundabout route, by way of St. Louis, Washington, Baltimore, and New York, thence by Albany and Buffalo to York, arriving in January, 1818, and having dinner on the first day with his old friend, Chief Justice William Dummer Powell. Word was sent by the Judge to D'Arcy Boulton, Attorney-General, that Selkirk would wait upon him, and at the interview Mr. Boulton informed the Earl that he had instructions from England to institute criminal proceedings against him at Sandwich. Thither the colonizer repaired. The Grand Jury reported No Bill in the theft case, but committed him for trial for riot, resistance to arrest and assault on the body of William Smith, the unlucky deputy sheriff. He was acquitted. Then at York during October, 1818, began a series of trials growing out of the Seven Oaks massacre. François F. Boucher and Paul Brown were charged with the murder of Governor Semple. The counsel prosecuting were John Beverley Robinson, the newly-appointed Attorney-General, and Henry John Boulton, Solicitor-General. For the defence appeared Samuel Sherwood, Levius P. Sherwood and Dr. W. W. Baldwin. The men were acquitted on a plea that they had acted in self-defence.

Then civil cases instituted by William Smith and Daniel MacKenzie—the latter of the North-West Company—were tried, and Selkirk was compelled to pay damages of £500 and £1,500 respectively. It has been said,

and often repeated, that the Court officials were under the domination of the North-West Company and that the trials were a travesty. Mr. Justice William Renwick Riddell has declared, after a careful study of the Court proceedings, that the general impression has been wrong. In his opinion justice was not perverted. More, the whole trial was "a model of propriety and fairness." It was a *cause célèbre* in the Province of Upper Canada. Dr. Strachan had the belief that Lord Selkirk was in the wrong throughout, and wrote a vigorous pamphlet setting forth that opinion. Of this pamphlet he said in a letter subsequent to the publication: "My motive was entirely disinterested, and had nothing to do with the Earl's rivalship with the North-West Company, or the propriety of the fur trade. In this contest I was a neutral spectator, taking no step on either side, though I knew then as well as I do now that His Lordship was the aggressor."

Robert Fleming Gourlay, a Fifeshire laird, of University education, had married in 1807 Jean Henderson, a niece of Hon. Robert Hamilton, of Queenston, who brought him 400 acres of land in Dereham Township. In Scotland he had revealed an itch for controversy and an insistence upon his own opinion that made him many enemies and caused him acute financial embarrassment. In 1817 he resolved to visit Canada and view his property. He landed at Quebec in May of that year, walked from Montreal to York and interviewed many settlers with the object of securing information for a Statistical Account of the Colony which he had a mind to write. He continued his pedestrian journey through to the Talbot settlement, and thence to Niagara, and the Genesee country of New York State. Returning to Niagara he prepared a list of questions which he determined to send to the leaders of each settlement so that the results of his observations could be checked by men familiar with the actual conditions of life in each community. For the most part the questions related to the conveniences or lack of conveniences for the settler, such as the number of mills, the availability of brick-clay, the crops, the possibility of securing supplies. It was exactly the sort of questionnaire that any statistician of experience and ability might send out.

Gourlay submitted his queries and the Address to Resident Landholders which accompanied it to Judge Powell, Dr. Grant Powell, D'Arcy Boulton and his three sons, the Jarvises, Colonel Cameron, Colonel White, Captain Fitz Gibbon and others, finding no one critical of his design or of the nature of the inquiries.

The address was published in the *Upper Canada Gazette* at York on October 30th, 1817, and most of the community-leaders displayed much interest in the proposals.

The thirty-first and last of the questions read as follows: "What in your opinion retards the improvement of your Township in particular, or the Province in general, and what would contribute to the same?" To modern eyes a more innocent question could scarcely be devised, yet it is said that this inquiry stirred the opposition of Dr. Strachan, probably because of its

implication that all was not well. The answers signed by the more considerable citizens of each outlying district were all but unanimous in pitching upon the Crown and Clergy Reserves as one cause. From the Township of Sandwich came this: "The reserve of two-sevenths of the lands for the Crown and Clergy must for a long time keep the country a wilderness, a harbour for wolves. . . . Too great a quantity of the land is in the hands of individuals who do not reside in the Province and who are not assessed for these lands." This answer was typical. It certainly contained an implied criticism of the Government, but neither Gourlay nor his correspondents could be expected to know that any criticism, however mild, was regarded by some men high in office as a misdemeanour, if not a crime.

Nothing came from York, where the influence of Dr. Strachan was exceedingly strong. Immediately Gourlay trailed off into vituperation. He spoke of Strachan as "a monstrous little fool of a parson, rogue would have been nearer the truth." Strachan, in turn, said of Gourlay, in a private letter "This man I must always consider as a wicked and malignant person who had no regard for the truth, and composed and published the most venomous and unfeeling slander." Let it be remembered that Gourlay was a Scottish Radical, and Strachan a Scottish Conservative, and that the latter had wearied of agitation which in war-time had crystallized into sedition and treason. Naturally Strachan doubted the wisdom of inviting criticism of the Government during the post-war period which was difficult enough, particularly as Gourlay was known to be in constant communication with Barnabas Bidwell, a former American, of Lennox and Addington, and a vigorous Radical.

A Second Address, published in the Niagara *Spectator* on February 12th, 1818, said that the Province was in a state of waste and decay while Little York was "dull, dirty and disgusting." The Third Address, which was in no milder vein, appeared on April 2nd, 1818; Bartemus Ferguson, the Printer who permitted them to appear, was sent to jail and condemned to stand in the pillory.

In one of his letters Gourlay wrote "How is it that Americans are free and Canadians slaves?" Such a question at the least was injudicious in a country which had just emerged from a successful wrestle with American Republicanism and where pride in British freedom had been the mainspring of action. The administrators of Government had been too much troubled with pro-American propaganda in the period before the War to endure the renewal of it, even though the man drawing these odious comparisons happened to be a Scot. They remembered the time when Upper Canada was overrun with the spies of Genêt and disturbed by agitators at home, mostly of American or Irish origin. The Alien Act of 1804 which was renewed from time to time had been passed to deal with such people. It gave authority to the magistrates to issue a warrant for the arrest of any person, not having been a resident of the Province for six months preceding, who had not taken the oath of allegiance and who was under suspicion of endeavour-

ing to alienate the minds of His Majesty's subjects of the Province from his person or government, or with seditious intent, of disturbing public tranquillity. If the person arrested failed to prove his innocence he might be notified to leave the Province within a specified time, and if he failed to obey the order he might be imprisoned and formally tried. If found guilty a Court order of banishment followed; then if he still refused to obey he might be brought to the scaffold as a felon to suffer death "without benefit of clergy."

The suggestion in Gourlay's writings that conditions in the United States were more advantageous to the settler than in Upper Canada would have been sufficient in itself to induce questionings, but superadded to this, he travelled through the country denouncing the officials of Government and inviting the people to send delegates to a Convention to be held at York. Meetings were held in many Townships to consider Gourlay's various Addresses and in most cases the Chairmen chosen were important citizens, who had been active during the war and whose Conservatism could not be challenged. Delegates were appointed to the proposed Convention which was to draft suitable petitions to the Lieutenant-Governor and to the Prince Regent. The objects of the proposed Convention were: to secure the fulfilment of the direct Vice-Regal promise that land would be granted to militiamen who had served in the war—a promise that had been apparently forgotten; to complain that no compensation had been forthcoming for the property losses of individuals in the war; and to demand an inquiry into the mal-administration of Crown lands.

The use of the word "Convention" was ill-advised. The French Republic had begun with a Convention; there had been a notable Convention also at Philadelphia. King Charles II. had been restored by a "Convention-Parliament," that is, a Parliament convened without the King's writ. The potentates at York seized upon the word and set beside it Gourlay's declaration that "a radical change of system in the Government of Upper Canada was necessary."

There is no need to impute improper motives to Dr. Strachan and his associates at the Capital. They had seen the consequences of one agitation in the difficulties which arose at the outbreak of the war by reason of disaffection amongst the Militia. They were resolved not to countenance any one who pretended that the Government was improperly administered in any particular, and they were indignant at the disrespectful manner in which Gourlay had spoken of them. Hon. Thomas Clark, of Niagara, after being in York during April, 1818, returned to his home and issued a public statement, dated April 13th, announcing that he had not sanctioned the "improper and unwarrantable publications of Mr. Gourlay." He continued that in order to prevent error and rescue from distress Gourlay's heedless proselytes he had transcribed for their information an extract from British law bearing on the point of unlawful meetings or Conventions. This extract was from a Statute of 1793 relating to seditious meetings in Ireland, and said "meetings of such a nature tending merely to sedition and to delude the people into an

imaginary assertion of rights, which they had before delegated to their representatives in Parliament could only tend to introduce anarchy and confusion, and to overturn every settled principle of government." Mr. Clark cited the case of a few ignorant individuals who had dared to assemble under the title of a Convention in Scotland, in 1793. They were dispersed and their leaders were convicted of seditious practices and transported. In conclusion the people were recommended to weigh well how they attended to visionary enthusiasts.

Gourlay himself was not the only one to denounce this Statement and its method of attack. Crowell Willson, of Crowland Township, who had been a Member of Parliament for Fourth Lincoln, and was a pronounced Tory and Loyalist, was unable to accept the nomination as delegate to the York Convention, because of indifferent health, but he addressed the Township meeting in the following terms: "The law quoted by my much esteemed friend, the Hon. Thos. Clark, does not regard meetings assembled for the peaceable exercise of petitioning, even in Britain; but here at any rate, it can have no more force than the laws of Japan or China. This law was made in 1793 but before that date the inhabitants of Upper Canada had received a power of legislating for themselves. Our first step might have been to petition the Provincial Parliament as to the public grievances; but the different branches of Parliament and our Members of Assembly have neglected us. Our only resource now is to petition the Throne; and for my part I would rather be adopted into a tribe of Indians than give up this privilege. I am not for bearing the kicks and cuffs of servants of Government; I am not to be alleviated under such grievances by returning thanks for the same. It is well known that notwithstanding the reputed purity and vigilance of the ancient Government of Rome, the people of its distant colonies were most shamefully imposed upon by those delegated to rule over them. I have a high opinion of the Administrator and Chief Justice and do not think that any blame rests with them, or other members of the Executive Council; but certainly there is 'something rotten in the State of Denmark'—and I rather think that evils originate at home. Before the war any man who came from any part of the globe, received, upon petitioning, and taking the oath of allegiance, 200 acres of land; the fees were thirty-seven and a half dollars and the location could be made on any land not before taken up. Now His Majesty's own subjects who have borne all the hardships of war for the support of the Crown can only draw 100 acres, and perhaps that is located in some remote corner, such as the Township of Brock, where it is no better than a location in the moon; it being impossible to get there but in the frozen season of the year. The Hon. Thos. Clark I consider to be a loyal subject and faithful friend to the British Government, but as to the right of petitioning he is grossly mistaken." (*)

*Crowell Willson was the son of Benjamin Willson, an American of Loyalist sympathies, and came to Canada with his father just after the Revolution. His son, named Benjamin (II.) settled on Talbot Street in the neighbourhood of St. Thomas; Benjamin's son, Crowell (II.) was a Member of Parliament for a Middlesex constituency in the '60's and was a woollen manufacturer at Arva near London. His son, Benjamin (III.) was for many years Inspector of the Bank of Hamilton and died in Vancouver in 1924. There is a son, Crowell (III.), in business in British Columbia.

The position taken by Mr. Willson and many other district leaders was so definite that the work of organizing the Townships and preparing for the Convention continued. On Monday, July 6th, the delegates assembled at York, fourteen in number, and proceeded to the election of officers. Richard Beasley, of Burlington, ex-M.P.P., Magistrate and Lieut.-Col. of Militia, was called to the Chair, William J. Kerr, was named as Secretary, and Daniel Washburn, of Kingston, as Assistant-Secretary. Mr. Washburn and Robert J. Kerr, of Newcastle, were generally hostile towards the aims of the Convention but the other delegates were united in support of the various resolutions adopted. Those present included Robert Hamilton, John Clark, and Dr. Cyrus Sumner, of the Niagara District; Richard Beasley and William Chisholm, of the District of Gore; Calvin Martin, of the London District; Roderick Drake, of the Western District; Daniel Washburn, Davis Hawley, Paul Peterson, Jacob W. Myers, and Thos. Coleman, of the Midland District; Robert J. Kerr, of the Newcastle District; Nathan Hicok, of the Johnstown District. No delegates appeared from the Ottawa District or from the Home District. William Kerr apparently came from Niagara although the Minutes do not state it.

The first business of the Convention was to hear Mr. Gourlay, it being declared as a preliminary that he was to be a member, but without voting power. In his speech he suggested that instead of sending a Commission to England to present a petition, two petitions should be drafted, one to the new Lieutenant-Governor, Sir Peregrine Maitland, and another to the Prince Regent which he should be asked to send forward. The Governor was to be asked to dissolve the Legislature and order a new election. This completed the first session.

On July 7th Mr. Washburn submitted an alternative proposal; that the Petitions to be drafted should be to the House of Assembly instead of to the Governor and Prince Regent direct. This suggestion was referred to a Committee for consideration, and on the 8th the Committee reported against them, taking in preference the Gourlay proposals which had been concentrated into the following Fifteen Resolutions:

1. *Resolved:* That this Convention assembled for the declared specific purpose of sending home a Commission to England, with an Address to His Royal Highness the Prince Regent, on the state of the public affairs in this Province, sees good reasons for departing from the prescribed course of proceeding; or, at least, for delaying the execution of the plan of procedure first intended.

First—Because various unfair advantages have been unexpectedly taken, by weak, wicked, and selfish men, to deceive the public, as to the true and legitimate objects in view, as well as to stir up doubts with regard to the propriety and legality of the measures proposed; thereby distracting the public mind and creating false fears and alarms.

Second—Because, by a little delay and with further means being used to dissipate alarms, and convince the people of the deceptions practised to-

wards them, a more universal concurrence will be insured in every required measure, and a better chance of succeeding in the great objects in view.

Third—Because, the appointment of the Duke of Richmond, to be Governor-in-Chief of the Canadas, has generated hopes which could have sprung from the appointment of no other individual whatever.

Fourth—Because the people of this Province are now so effectually roused to a just sense of the bad consequences of mal-administration, and weak Legislative proceedings, that when Parliament again meets, there is every hope that, narrowly watched by the public eye, its every motion will be guided and determined by better principles, and more manly resolutions—that, in short, the virtue of Parliament will be braced and upheld by the virtue of the people.

2. *Resolved:* That under all circumstances the members of this Convention conceive, that they will best maintain their own honour, and the interests of their constituents, by appointing a Deputation to wait on Sir Peregrine Maitland, as soon as he arrives in this Province, or to proceed, if deemed expedient, to meet him at Quebec, to entreat a conference with him, and to present him with the printed Principles and Proceedings of this Convention and of its supporters.

3. *Resolved:* That this Deputation shall bear along two Petitions—one to His Royal Highness the Prince Regent, expressive of the loyalty and dutiful consideration of this Convention to the Royal dignity, and calling the Royal attention to the conduct of affairs in the Land-granting Department of Upper Canada, as well as to the means which His Royal Highness possesses of redressing *instantly* the grievances of claimants for sufferings by war, and of militia men expecting promised lands—which Petition, the Deputies shall beg of Sir Peregrine Maitland to send home, and have presented to the Prince, at his first public levee, by such person as Sir Peregrine shall think proper to confide in.

4. *Resolved:* That this measure is more especially necessary to maintain the right of all British subjects in petitioning the Throne, in opposition to notorious assertions, that public petitions ought necessarily to be presented to the Throne, through the medium of the House of Assembly—a practice which has no precedent, and which would be vitiating one of the most important articles of the Bill of Rights, that of direct petitioning.

5. *Resolved:* That the other petition shall be addressed to Sir Peregrine Maitland himself, as Lieutenant-Governor of Upper Canada, praying him to call Parliament together as speedily as possible, that inquiry into the state of the Province may be instituted, and a Commission appointed to go home with the result in such time as the same may be brought, by Ministers of the Crown, before the Imperial Parliament, at an early stage of its next session; and submitting to the judgment of Sir Peregrine Maitland, on reasons given, whether it would not be proper to dissolve the present Commons House of Assembly, and issue writs for a new election of representatives of the people of this Province.

6. *Resolved:* That a Committee be nominated to draft the above-mentioned Petitions, and report the same to this Convention.

7. *Resolved:* That whatever be the consequence of these resolutions, and of any temporary change of procedure, it is the duty of this Convention to devise measures by which the great cause in which its members and supporters are engaged, shall be maintained; and that no dissolution of the present system of representing the Will of so numerous a body of people, as have already declared for this cause, shall take place, till the inquiry into the state of this Province has been realized, and those beneficial objects obtained, which are absolutely essential to the well-being of the Province.

8. *Resolved:* That this Convention, the better to denote the purity and unity of its object, as well as distinguish it from Conventions formed to control and command public affairs, shall be denominated *'The Upper Canadian Convention of Friends to Inquiry.'*

9. *Resolved:* That to facilitate internal management, and to decide on all matters of mere arrangement, two branch Conventions shall be formed—one to be constituted by representatives from the five Upper Districts, viz: the Home, Gore, Niagara, London and Western, to meet at Ancaster—the other to be constituted by representatives from the five lower districts, viz: the Newcastle, Midland, Johnstown, Eastern and Ottawa, to meet at Kingston.

10. *Resolved:* That the representatives now here convened, do, as they belong respectively to each of these branches, form themselves into two Committees, each to choose its own Treasurer and Secretary—to fix on a certain day for the first branch Conventional meeting, respectively at Ancaster and Kingston, and to report to-morrow, to this Convention, as to these appointments:—that future branch meetings be held either by adjournment, or as may be announced by the Secretaries, in the newspapers or otherwise, and upon the requisition of three district representatives; but no branch Conventional meeting to be considered regular without the presence of four district representatives.

11. *Resolved:* That the Treasurers of districts shall, if called upon, surrender their funds, or any required part thereof, to the Treasurers of their respective branch Conventions, on an order signed by the Chairman of any regularly constituted meeting of such branch Conventions.

12. *Resolved:* That a Report of all proceedings of the branch Conventions, shall be mutually exchanged by their respective Secretaries, each despatching his report on the first Monday of every month, and that further correspondence shall take place, if necessary.

13. *Resolved:* That as the District of Niagara has hitherto borne all charges in bringing forward this business, it shall be a first consideration of the upper branch Convention, to settle up all charges out of the funds generally collected within its range, and then to draw on the Treasurer of the lower branch Convention for one-half of the whole.

14. *Resolved:* That the branch Conventions shall endeavour to get the

people of those townships where no representatives, &c., have been chosen. to meet and still to choose such representatives, together with Clerks and Committee men; but if this cannot be brought about universally, then it will be desirable to have an agent or agents appointed in each unrepresented township, that any one or more persons may have opportunity of aiding and assisting the general measures, with their names and contributions.

15. *Resolved:* That in case it shall be deemed expedient by the branch Conventions, that the general Convention shall assemble at York, for any particular or unforeseen matter of deliberation; that then the branch Conventions shall by correspondence, fix the day, and have the same advertised in all the newspapers of the Province, besides advising each individual member by letter.

The Resolutions were considered and adopted *seriatim,* Robert J. Kerr voting against them all, and Daniel Washburn voting against all but the eighth; the one asserting the propriety of this particular Convention's motives.

On the following day, July 9th, the Convention met to consider the text of the Petition to Sir Peregrine Maitland, as drafted by a Committee consisting of Thos. Coleman, Paul Peterson, Robert Gourlay, R. Drake and C. Martin. Despite the indiscretion of the language—an indication that Gourlay held the pen—the Petition was approved, Robert J. Kerr and Daniel Washburn dissenting. A permanent committee of management was appointed, consisting of Lieut.-Col. Beasley, John Clark, George Hamilton, Thomas Coleman, William Chisholm, R. Drake, and William Kerr, and the dates for the meeting of the Branch Conventions were fixed.

On July 10th various resolutions of thanks were adopted and there was a protest respecting a letter written by Robert J. Kerr in the *Upper Canada Gazette* of July 2nd and in the *Niagara Spectator* of the same week reflecting on the character of Mr. Gourlay. The most important resolution of this final session was moved by Mr. Drake and Mr. Chisholm: "That should there be no call of Parliament, or dissolution, before the 1st of September, nor any hope of the session commencing before the middle of October (as requested in the Petition to Maitland), then it shall be the duty of the branch Conventions to have petitions drawn up and signed all over their respective districts both to the Prince Regent and the Commons House of the Imperial Parliament, to be sent home without delay, by a Commission, consisting of two persons chosen by the upper and two by the lower branch Conventions; the Secretary of this general Convention to accompany, and to be the Secretary of the Commission."

The Lower Convention met for purposes of organization on August 1st at Kingston, when Thomas D. Sanford was accepted as having been chosen by the Newcastle district representatives in the room of Robert J. Kerr. The other oppositionist, Mr. Washburn, was still a member and attended the meeting. Davis Hawley was elected Chairman. The Upper Convention

met at Ancaster on July 20th, calling Lieut.-Col. Beasley to the Chair and making plans to stir up the unorganized Townships.

The petition to the Prince Regent was drafted by the Committee of Management at a meeting held on July 21st at Ancaster, and at the same time some of the "Gourlayesque" expressions were pruned out of the Petition to Lieutenant-Governor Maitland. Three of the amendments are submitted, for despite the seriousness of the Committee, they have inherent humour. For "the most indecent irregularities" substitute "great irregularities"; for "low and dastardly" substitute "futile and unbecoming"; for "notorious bad characters" substitute "unfit persons."

Before any of the Conventions had assembled Gourlay had published a pamphlet under the following title: "Principles and Proceedings of the Inhabitants of the District of Niagara for addressing His Royal Highness the Prince Regent, respecting the claims of sufferers in war, lands to militiamen and the general benefit of Upper Canada. Printed at the *Niagara Spectator* Office, 1818. Price, one shilling, Halifax." The Government discovered in this pamphlet "a false, wicked and seditious libel, intended to disquiet, molest and disturb, and to bring the Government of our lord the King in this Province, into great hatred, contempt and scandal." A warrant was issued by Thomas Markland, J.P., for Gourlay's arrest, and he was tried at Kingston on August 15th, the Solicitor-General, John Beverley Robinson, conducting the prosecution, and Judge Campbell presiding. The verdict of the Jury was Not Guilty. There was a burst of applause in Court and Gourlay's friends tendered him a complimentary dinner at Moore's Coffee House on the 17th. This dinner was notable for the fact that Mr. Gourlay in his speech confessed that he might have been imprudently severe in dealing with those of contrary opinions. There are few instances of this attitude of mind on the part of Robert Gourlay, in a career of thirty years.

For various reasons the Petition to Sir Peregrine Maitland was not presented until October, after the House had met, and had been dutifully hostile towards "Conventions" and Petitioners in general. Mr. Beasley's report of the interview declares: "His Excellency was pleased to ask if we conceived he would receive an address from so unconstitutional a body. To which we replied that the meeting was not unconstitutional; at least not in this Province. He repeated that it was and that we had his answer; on which we made our bows and retired." Another attempt was made, with the same result.

The assumption by a Convention of power to review the acts of an elected assembly chosen under the King's Writ was certainly unconstitutional. When that body presumed to suggest to the Viceroy that a new Assembly should be summoned and that the administration should be carried on in a manner satisfactory to the Convention, Sir Peregrine Maitland was justified in refusing to hear the delegation, though he might have been more tactful in his refusal. Many years afterwards a Liberal Convention assembled at

Woodstock formulated a political programme and passed resolutions to the effect that the Hon. Francis Hincks, the nominee of the Convention should be required by the Chairman of the Convention to subscribe to this programme, and also that he should consent to resign his seat on the demand of a two-thirds vote of the Convention. Hon. Mr. Hincks wrote to the Chairman of the Convention on October 29th, 1851, saying that he could not recognize any right in a convention of delegates, appointed in a way unknown to the Constitution, to impose conditions of any kind upon candidates for the suffrages of the freeholders of the County. He added: "The course taken by certain conventions in the western part of Upper Canada has already, I am grieved to find, enabled the opponents of progressive reform to charge them with attempting, like the socialist clubs of France, to exercise an unconstitutional control over the government and parliament of the country. . . . . Were I to enter office fettered by pledges to a convention having no constitutional responsibility it would be obviously impossible for me either to act in concert with others, or to give free advice to the representative of my Sovereign."

The question of tying down Members of Parliament has been argued many times, and indeed has been attempted on more than one occasion. The "Initiative and Referendum" has been endorsed again and again by Radical assemblies; it was a feature of the United Farmers' movement and doubtless will have the approval of class agitators in future. Yet it is out of harmony with British institutions, infringes upon the omnipotence of Parliament and limits the independence of the Member. A Party Convention is a convenience for the nomination of a candidate but it has no authority, and no legal or constitutional existence as an aid to government.

After Maitland had refused to receive the petition, Parliament passed the famous "gagging act" of 1818. It was an Act to make illegal meetings purporting to represent the people or any description of the people under the pretence of deliberating upon matters of public concern, or of preparing and presenting petitions, complaints, remonstrances, declarations and other addresses to the King, or to both or either of the Houses of Parliament for alterations of matters established by law or redress of alleged grievances in Church or State.

To us in these times such legislation was merely hideous tyranny. So it appeared to Gourlay, who was at least fifty years ahead of his day in political thought. So it appeared to the friends of Gourlay who were chafing under grievances, real and alleged. How it was regarded by the Government, sworn to maintain tranquillity in the Province, may be judged by the following extract from the speech of Sir Peregrine Maitland in proroguing Parliament: "You have afforded seasonable aid to the Constitution by your Bill entitled, 'An Act for preventing certain Meetings within this Province.' It is a subject for regret that the Constitution should have stood in need of such aid, but let us hope that the good disposition of His Majesty's subjects will put an early period to this unhappy necessity. If any portion of the

people of this Province be indeed aggrieved, they are well aware that a dutiful Petition proceeding from themselves would find easy access to the foot of His Majesty's Throne."

Gourlay retorted with a couplet

> "A babe of mighty Wellington, come o'er the sea,
> Hath with thy own foul fingers gagged thee."

Meanwhile Gourlay had been tried again for libel; this time at Brockville, and had again been acquitted. Some other method had to be devised to silence him and put an end to a disaffection which was running throughout the Province. In the eyes of the nervous Administrators at York it was a disaffection which, if unchecked, might deliver Upper Canada into the hands of the enemy whose attempt in arms had been covered with confusion. Recourse was had to the Alien Act. On complaint of William Dickson and William Claus, fortified by a questionable affidavit made by Isaac Swayzie, Gourlay was arrested as an evil-minded and seditious person who had not resided for six months in the Province or taken the oath of allegiance. A written order requiring him to leave the Province within ten days was delivered to him. He chose to disobey the order; on January 4th, 1819, he was committed to Niagara Jail. On February 4th he was temporarily released on a writ of habeas corpus and appeared before Chief Justice Powell at York, only to be returned to the custody of the Niagara jailer, on the grounds that the Act made no provision for bail. He remained in custody until the Assizes on August 20th, and it is fairly clear that the nervous strain of the imprisonment made him at least partly insane. He was unable, from a lapse of memory, to make any defence and was adjudged guilty. On the following day, having been cared for during the night by the Hamilton family of Queenston, he crossed to the United States. He was again in Canada in 1835 and though he never ceased proclaiming his grievances he refused to join the Rebels in 1837, and lived quietly in Cleveland, Ohio.

A Select Committee appointed at the Session of 1841 investigated complaints made by Robert F. Gourlay of losses sustained by him at the hands of the Executive Government of Upper Canada and reported that Gourlay's arrest and imprisonment was illegal, unconstitutional and without the possibility of excuse or palliation, that debarring him from an interview with his friends or counsel was also illegal, unjust, and unconstitutional . . . his trial and sentence, when in a state of bodily and mental weakness . . was unjust, unconstitutional and cruel. The Committee under the Chairmanship of W. Dunlop recommended an Address to the Governor-General declaratory of these opinions, in order that the Crown might repudiate the former transactions, declare the sentence of banishment null and void, and cause the victim to be compensated for losses. The Committee said that Gourlay in 1837 had sent from the United States important intelligence to Sir Francis Bond Head, concerning the movement of the brigands organizing for an attack on the Province.

The House approved the recommendation, an Address was drafted and Lord Sydenham promised consideration. The result was the granting of a pension of £50 a year and a pardon. Gourlay refused the one and declared that the other was an insult, since he had committed no wrong. He continued protesting until 1858, revealing a most curious temperament which few of his best friends could understand.

Robert Gourlay had the mind and the diligence to do a useful thing for the Province in his day, but he continually aroused antagonism. Hard usage was his portion but perhaps his temperament, his tongue and his pen invited it. His influence in forming the free Democracy now known as the Dominion of Canada cannot be denied. He was one of three useful men in the early life of Canada, John Mills Jackson, Robert Gourlay and William Lyon Mackenzie—all disturbers of the peace at a time when, probably, the peace needed disturbing.

In *Rural Rides* William Cobbett devoted two pages or more to a protest against certain statements by Gourlay: "This fellow," said Cobbett, "is one of the most malignant devils that I ever knew anything of in my life. He went to Canada about the time that I went last to the United States. He got into a quarrel with the Government there about something, I know not what. He came to see me at my house in the neighbourhood of New York just before I came home. He told me his Canada story. I showed him all the kindness in my power and he went away knowing that I was just then coming to England. I had hardly got home before the Scotch newspapers contained communications from a person pretending to derive his information from Gourlay, relating to what Gourlay had described as having passed between him and me; and which description was a tissue of most abominable falsehoods. . . . . What the vile Scotch newspapers had begun the malignant reptile himself continued after his return to England. . . . I heard the fellow's stories about Canada; I thought he told me lies, and besides, I did not care a straw whether his stories were true or not: I looked upon him as a sort of gambling adventurer."

# CHAPTER IX.

## THE MAITLAND ADMINISTRATION.

For the Province the period of Sir Peregrine Maitland from 1818 to 1828 was a time of material growth. Immigration brought to the districts new and old numbers of useful citizens; the towns were increasing in population and in wealth; agricultural production showed remarkable growth; improvement in communication by land and water was under way. There was a wider interest in the possibilities of Upper Canada, which is shown in the State papers of the time by the multitudinous applications for land grants. Among the many who were willing to accept the King's bounty as a slight return for services rendered was the former Lieutenant-Governor, Francis Gore. Also Mr. John Mills Jackson assured the British Government that a land grant in Upper Canada would be satisfactory to him. He declared that it would be useless for him to make an application to the Land Board in the Province since there was a strong feeling against him. Mr. Hicok expressed regret that he had been a member of Gourlay's convention, and applied for the land "to which he was entitled, but for that error." Apparently the Land Board was also a Board of Political Review, a portion of a Bureaucracy which by high-handed methods spurred the people to complaint and opened an opportunity to political agitators. The claims of important loyalists whose property had been destroyed in the war were still neglected. Maitland questioned the pension of Robert Nichol since he was in avowed opposition to Government. Assuredly he had cause for opposition. Sheriff Thomas Merritt of Welland was removed from office because he had assisted Gourlay. It seemed as if Maitland studied to exasperate all classes of the people, loyalist and reformer alike. He was seconded in this course by the Home authorities, and his calm obstinacy was only intensified by the steady complaints in the Legislative Assembly.

Mr. Fred Landon contributes the following spirited sketch of the opening of the Huron Tract:

"Men of strangely diverse talents had a part in the opening up and settlement of Upper Canada. Soldiers, preachers, noblemen, adventurers, all shared in the task of peopling the country but one of the most unique of these colonizers is John Galt, the novelist, whose name will always be associated with the operations of the Canada Company. The reputation of John Galt as a novelist has not increased with time nor are his voluminous writings much read today. Yet he may truly be regarded as the father of the modern Scots realistic novel and he did for the trading and professional classes of Scotland what Sir Walter Scott did for its peasantry and gentry. Possibly the future may hold him more highly in regard for

his works as a colonizer than for the extent or quality of his writings.

"His early interest in Canada was, like that of another and more unhappy Scot, Robert Gourlay, of distinctly philanthropic character. Like Gourlay he saw in the poorer classes of Great Britain a population for Canada and in the broad spaces overseas he could vision a future for people without hope in their own land. To purchase a large tract of land in Upper Canada and people it with those who were without means but were ambitious to better their condition seemed feasible. The idea was not original with Galt and is preached in our own day with as much faith as in the first decades of the nineteenth century. Galt had no idea of taking part in any such venture—he was a writer, not a colonizer; but circumstances pushed him into what was to be the great work of his life. In 1823, when he was 44 years of age, he came out to Upper Canada as one of a commission of inquiry into certain claims against the provincial government which the home government was being asked to settle. On this visit to Canada Galt had his opinions regarding emigration altered and saw that what was needed was not the dumping down of great numbers of the poor but the locating of intelligent settlers, preferably with a little capital and the development by industry and intelligence of Canada's resources. Out of this grew the Canada Company in 1824, with a capital of a million pounds sterling, with leading London business men as directors, with John Galt as secretary and with an ambitious programme of settlement.

"The first proposal was that the new company take over all the unassigned land in Upper Canada but this seemed too much like creating a monopoly to be acceptable. Next it was suggested that the company take over the Crown reserves and the clergy reserves. Rev. John Strachan objected strenuously to surrendering the clergy reserves, arguing that 3s. 6d. per acre, which was the price recommended by the special commission handling the matter, was altogether too low and that 8s 6d would be a more reasonable price for land in the clergy reserves. Eventually the clergy reserves were taken out of the deal entirely and for them was substituted a block of 1,000,000 acres in the London and Western districts, henceforth to be known as the Huron Tract. For this the company was to pay £295,000 in sixteen annual installments. Surveys were to be made at the expense of the government while one-third of the purchase money was also to be spent on public works and improvements.

"The original company formed in 1824 was incorporated by Royal charter and in the fall of 1826 Galt came to Canada to carry out the schemes of his associates. During his earlier visit to Canada in 1823 he had been much taken with the Dumfries settlement where his friend, Hon. William Dickson, had paid him the compliment of naming a town after him. A second visit confirmed his opinion that this was the part of the province where success was most likely. St. George's Day of 1827 was the birthday of his new settlement for on the morning of April 23rd, a picturesque group set out from the village of Galt to found a new town.

They were guided by Dr. William ('Tiger') Dunlop, one of the oddest characters in early Ontario history. He had killed tigers in India, fought in the War of 1812 and now held the extraordinary office of 'Warden of the Canada Company's woods and forests.' What that office actually implied is not clear and was perhaps none too clear to Dunlop himself. It was raining as the little party made its way through the forest, getting lost at times, but finally, towards sundown, reaching its destination on the River Speed. There was some ceremony in founding the new town. Instead of laying a corner stone they felled a huge maple tree. Galt gave the first stroke with the ax, Dunlop the second, Charles Pryor the third and then the job was turned over to regular ax-men while the three magnates proceeded to drink the health of the unbuilt metropolis of the new world from a flask which the doctor produced. 'The name was chosen in compliment to the royal family,' Galt wrote, 'both because I thought it auspicious in itself and because I could not recollect that it had ever been used before in all the King's dominions.'

"There was some dissatisfaction in London when the directors heard the name of the new town. They were anxious for the favour of Lord Goderich and forthwith ordered Galt to change the name of the place to Goderich. He explained that there would be difficulties about this as some land had already been sold and the name Guelph entered on provincial registers. To get over the difficulty he named a second town on the shores of Lake Huron Goderich, the two being eventually connected by roads running through the tract. During the summer of 1827 Guelph became a flourishing village, while settlers came into the district in ever increasing numbers. Over in London, however, directors, intent on immediate profits which did not materialize, began to murmur against the expenditures on roads, bridges and other improvements. Galt's position became uncomfortable and late in 1828 he tendered his resignation. Between 1827 and 1830 the financial affairs of the Company threatened failure but by the latter year the outlook was brighter, the assets being set out in the annual report as consisting of £53,000 cash and 305,000 acres of land paid for but yet unsold. A more vigorous business policy was instituted forthwith. Agents were appointed at New York, Quebec and Montreal to direct newcomers to the Company's lands and the year 1833 showed sales of over 55,000 acres. With the greatly increased value of its holdings, the Company could view the future with more confidence. By 1834 there were between two and three thousand settlers in the Huron Tract; by 1838 the number had practically doubled. Two-thirds of the land had been disposed of by that time and the settlers were of as fine type as could be found anywhere in the province. Even William Lyon Mackenzie's famous seventh report, with its enumeration of abuses in the province, found room among its evidence for an admission that the Canada Company had been of some service though its monopolistic features were naturally regarded as highly objectionable.

"A romantic incident in connection with the new settlement was the arrival in September, 1827, of the unfortunate 'La Guayra' settlers. These Scottish people had been sent to Venezuela in 1825 by the Colombian Agricultural Association, a London company which had purchased plantations in South America and advertised their attractive possibilities up and down the eastern shires of Scotland. The emigrants found on their arrival that they had been deceived. The country was in disorder, the climate was unhealthy and the plantations were partly on the sides of mountains and partly in arid areas. With such a hopeless outlook they applied to the British representative for help and eventually it was arranged that they should go to Canada. Their original destination appears to have been Nova Scotia but on arrival at New York they were persuaded by the British consul, Buchanan (who was agent for the Canada Company) to proceed to the Company's lands in Upper Canada. Galt met them, 135 souls in all, of whom 58 were small children, and had to pay the costs of their passage from New York, an act of kindness which brought him much trouble later. For some time after their arrival the new-comers required assistance as they were practically destitute and this help was given by the provincial administration. Eventually they were located on farms and added a worthwhile element to the population. The last of these 'La Guayra' settlers died in 1908 in the person of Mr. David Stirton of Guelph.

"The Canada Company had another unusual group of immigrants arrive in 1830 when a community of Negroes, driven out of Cincinnati by the enforcement of the Ohio Black Laws, applied for a township with the object of founding a colony for refugees from American slavery. Only about 1200 acres, however, was actually acquired, upon which a score or more of families located and started to clear the land. This strange little colony, set down in the Canadian backwoods, has never died out and at the village of Lucan, to the north of London, there are still a few Negroes whose ancestry goes back to the migration of 1830.

"Even among the immigrants from Great Britain there were unusual elements. Barristers, writers, doctors, half-pay officers and even a nobleman or two made their way to Canada, bringing with them their eight-day clocks, their mahogany sideboards and their dress clothes. Their experiences, humourous and tragic, have been made the subject of an interesting narrative, 'In the days of the Canada Company', by the Misses Lizars. Log houses were built on the scale of English mansions and 'follies', as the unfinished log castles were called, were to be seen for long years afterwards. The first sheriff of Huron is reputed to have built a house so spacious that though there were great hearths at either end of the main room there was good sliding on the ice in between.

"At Guelph there may still be seen a most interesting relic of Galt's régime in the old log house commonly known as 'The Priory'. For many years it served as a C. P. R. station and deserved a better fate. The whole district through to Lake Huron is, however, a memorial to Galt's career in Canada. The Company was not without its abuses, its purposes being

commercial. Nevertheless it recognized that the bringing in of a better class of people would be advantageous to its own affairs. A more effective system of land settlement resulted from its activities and its road building opened up vast new areas of farm lands for settlement in the thirties and forties."

Today everyone knows that the system of administration provided for by the Constitutional Act was bound to fail. Everyone favors responsible government and sees no danger in a universal franchise. But in England as late as 1831 Mr. Gladstone wrote of a reform meeting at Warwick the following sentences: "The gentry present were few, the nobility none, the clergy one only, while the mob beneath the grand stand was Athenian in its levity, in its recklessness, in its gaping expectancy, in its self-love and self-conceit—in everything but its acuteness. If the nobility, the gentry, the clergy, are to be alarmed, overawed or smothered by the expression of popular opinion such as this, and if no great statesman be raised up in our hour of need to undeceive this unhappy multitude, now eagerly rushing or heedlessly sauntering along the pathway of revolution, as an ox goeth to the slaughter, or a fool to the correction of the stocks, what is it but a symptom as infallible as it is appalling, that the day of our greatness and stability is no more, and that the chill and damp of death are already creeping over England's glory." This was from a man who was to become the greatest Liberal of his age.

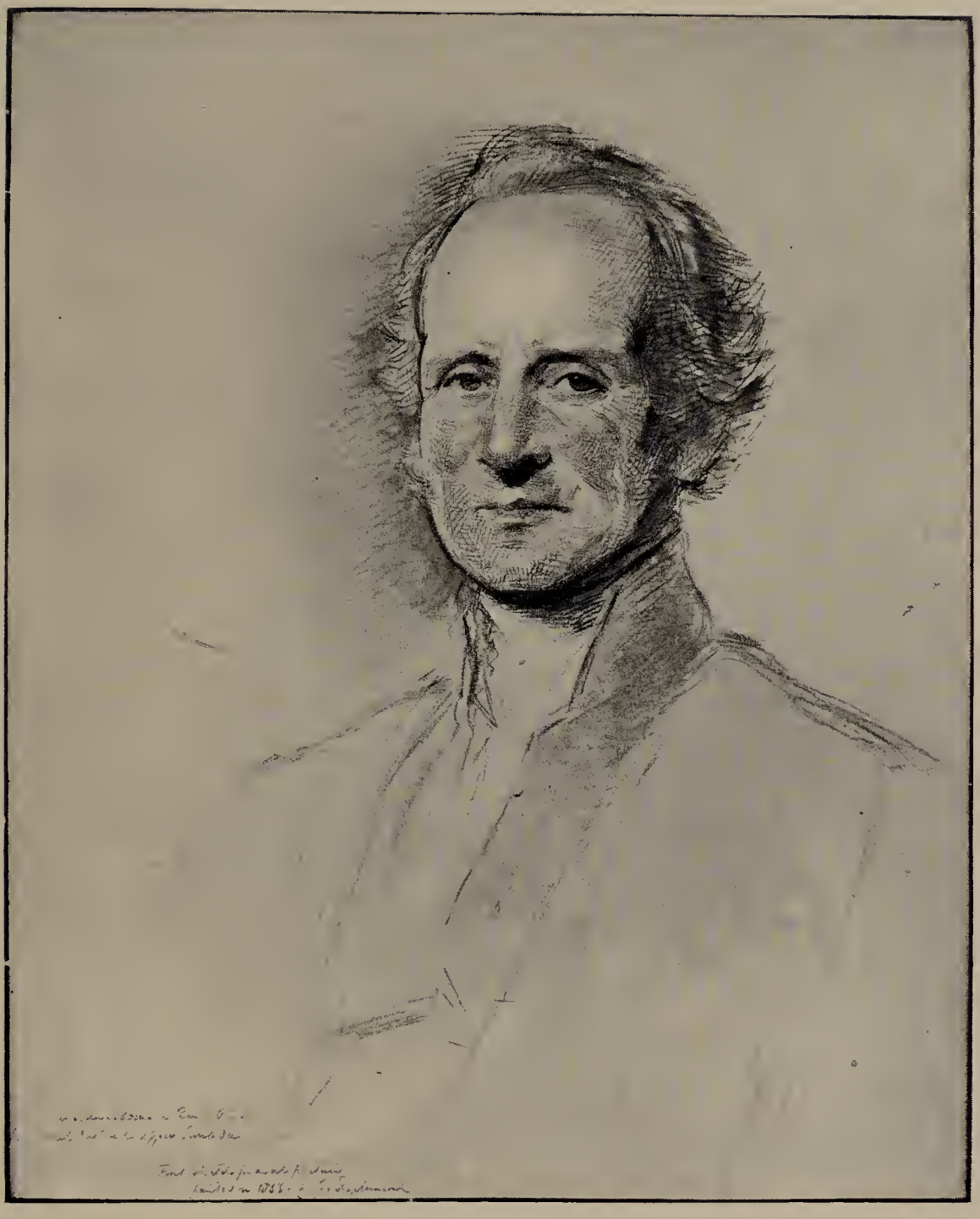
In Upper Canada the "governing class" saw the "profane mob" and heard its plaints with a distaste that often rose to anger. An administrator in England might be contemptuous of the people, but he was not afraid of them. They were English and he knew that the national character was averse from revolution. The leaders of Government in York were dealing with a people of mixed origin. Many of them had come from the United States after republicanism had been triumphant for twenty years. The governing classes assumed that their minds had been turned away from monarchy, and that they would be glad to see Canada filched from the British Crown. In all probability great numbers had no keen feelings on the matter, but resolute and convinced monarchists would not credit such indifference on one of the fundamentals of life. Besides, during the war some American settlers had given trouble and others had shown an uneasy neutrality. The war itself had been forced on the Colony by a republican Congress and was heartily supported by the republican people of the newer States. The fires of indignation kindled by the devastation and loss which the rulers of Upper Canada saw all about them, had all the obstinate heat of anthracite and refused to die down. The syllogism which ruled their lives was this: "Republicans have proved themselves murderous wretches, willing to destroy all morality, religion and government; Americans are republicans: Therefore Americans and pro-Americans are public enemies to be suppressed at all costs." They forgot that great numbers of Americans had been opposed to the war. They forgot that it was possible for loyal British citizens to have grievances. They refused to consider the possibility

of error in their own practice, for the Government was dominated by soldiers and the military mind must of necessity regard itself as infallible, or become immediately unbalanced.

The men who surrounded the soldier-governors were themselves veterans, either of the Revolutionary War or of the War of 1812. The one exception was Rev. Dr. Strachan, a natural Tory, taking a Tory view of life in all its aspects and being as thoroughly a devotee of Church-and-King as the Great Cham of English literature, pictured for the world in the pages of Boswell. Dr. Johnson was a great man, not because of his prejudices, but because his courage and intellectual swiftness were balanced by the highest spiritual qualities. He was a believer in revealed religion, in the classics as the sum of a gentleman's education, in the value of the King's prerogative; he was even a Jacobite in an academic manner. Dr. Strachan was a man who would have adorned any company. He, too, was a believer in revealed religion, in the classics, in the King's prerogative. He came of Jacobite ancestry. Being like Johnson an intense believer, he was, like Johnson, intense in his antipathies. The fact that he was a Scot made him perhaps more rugged in some respects than the Lexicographer. He was never consciously a humourist. He revealed a steady egotism, an enduring confidence in his own judgments that must have amused as well as irritated his opponents. But these qualities of imperfection never robbed him of the affection and respect of the galaxy of brilliant men whom he had taught as boys, and who were reading Livy and Lucretius before they had compassed the higher rules of arithmetic.

One of these was John Beverley Robinson, attorney-general of the Province before he had reached the usual age of discretion, and Chief Justice as early as 1829. He had learned in Dr. Strachan's school to be diligent, to be courteous, to be resolute, to believe with all his heart in the tenets of religious, political and social orthodoxy, and at the same time to despise the Democratic ideals of the day. For him as for his teacher, republicanism was the folly of atheism, Voltaire and Tom Paine being its prophets. Strachan and Robinson, with Sir Peregrine Maitland, the melancholy soldier, owing service to the King, rather than to the British Government, dominated the Administration of Upper Canada, not only in the Executive Council, but in the Legislative Council of half-pay officers, and in the civil service of the day. The Family Compact, was so called because a Robinson had married a Boulton, a Powell, a Jarvis; a Macaulay, a Crookshank; etc., etc., ad infinitum, but the epithet was not particularly happy. Nepotism was not the dominant feature of the Government of Upper Canada. Its weakness, oddly enough, was found in the clean-minded conscientiousness of a great clergyman, a brilliant jurist, and an accomplished soldier, all determined to do what seemed to them reasonable, just and proper. There was no elasticity in the Government. It was a springless wagon on a corduroy road, and naturally enough it shook itself to ruin.

In opening the Session of 1819 Sir Peregrine Maitland intimated that while he had authority to grant lands to militia-men and sailors who had



SIR JOHN BEVERLEY ROBINSON, BART.

served in the war, he would not consider himself justified in extending this mark of approbation to any of the individuals who had composed "the late Convention of Delegates." Towards Gourlay and his schemes the Governor was implacable. A series of petitions was presented during this Session showing the difficulty that had arisen over the confiscation of traitors' lands. A number of individuals who had gone temporarily to the United States during the war for family or personal reasons and had returned to their militia duties found their property seized and sold to strangers. The case of Col. Joel Stone of the 2nd Leeds Militia was also interesting. During the war he had maintained his battalion by rounding up stragglers and unwilling soldiers and fining them as he was authorized by law to do. Public money for the proper payment of his force had not been forthcoming, so he had applied the Militia fines to this purpose, without objection from his superiors. Then in November, 1818, the Adjutant-General of Militia made a demand upon him for £412 13s 9d, being the amount of the fines thus applied. Stone had to come to Parliament to escape the payment of this sum into the Treasury. The case is important as showing how dangerous this fining privilege might be in the hands of officers of the wrong sort. If over £400 could be collected from the battalion in the Gananoque region, where there was comparatively little disaffection, what was the amount likely to be raised in a reluctant county? The steady complaints of Oppositionists against the Militia Act must have had some justification.

The Estimates presented in 1819 showed that the total requirements of the Province for the ensuing year would be £20,125. Of this £10,825 would be granted by the Imperial Government, £3,620 would be Crown revenue from duties on imports into Lower Canada and from licenses, and £5,680 would be raised by Parliament. A schedule of the distribution of the Imperial grant here follows:

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|---|---|
| Salary of the Lieutenant-Governor | £2,000 |
| Salary of Chief Justice | 1,100 |
| Salary of Attorney-General | 300 |
| Salary of Solicitor-General | 100 |
| Two Judges of the Court of King's Bench at £750 | 1,500 |
| Clerk of the Crown and Pleas | 100 |
| Two Sheriffs at £100 | 200 |
| Secretary and Register | 300 |
| Clerk of the Council | 100 |
| Receiver-General of the Revenues | 200 |
| Five Executive Councillors at £100 | 500 |
| Surveyor-General of Lands | 300 |
| Naval officer | 100 |
| Salary of the Bishop's commissary | 150 |
| Allowance to the widow of the late Col. Campbell | 250 |
| Allowance to Mr. Smith, late Surveyor-General | 200 |
| Allowance to widow of the late Major-Gen. Shaw | 100 |
| Agent | 200 |
| To the Society for the Propagation of the Gospel in aid of the expenses of the Society in Canada | 2,800 |
| On account of fees for receipt of audit | 325 |

All this money was disposable at the discretion of the Lieutenant-Governor in exercise of the Royal prerogative and without the advice of either branch of the Parliament of Upper Canada. Moreover "Crown Lands" in those days was a phrase meaning exactly what it said. In a statement to the Assembly made by Sir Peregrine Maitland in connection with these estimates he intimated that casual and territorial revenues, such as the rent of ferries and Crown lands, fines not appropriated by statute and reserves on grants of land would make a total of £1,770, which was exclusively subject to the King's pleasure. He added: "This class of casualties is exclusively dependent upon the prerogative to remit or grant *ad libitum* without account to the Legislature, and this prerogative His Majesty's Government are sworn to maintain. His Majesty grants lands to whom and on what conditions he pleases, an unquestionable prerogative." (*)

The estimated expenditures for 1820 under authority of the Legislature were as follows:

| | |
|---|---|
| Administration of Justice | £2,500 |
| Lieutenant-Governor's Office | 1,000 |
| Receiver-General's Office | 550 |
| Surveyor-General's Office | 964 |
| Executive Council Office | 650 |
| Crown Office | 56 |
| Attorney-General's Office | 90 |
| Secretary's Office | 400 |
| Register of the Province | 200 |
| Inspector-General's Office, including his salary | 800 |
| Pensions to wounded militia officers | 750 |
| For clergymen of the Established Church and one Minister of the Gospel | 500 |
| Repairs and Contingencies of Govt. House | 200 |
| For Government Printer | 140 |
| For casual and other expenses | 500 |

In the Session of 1820 an inquiry was held with respect to the condition of the Post Office, when William Allan who had been Postmaster of York for fifteen years was examined. The postal service was an Imperial organization under the control of a Deputy Postmaster-General established at Quebec, but there seemed to be much looseness in the fixing of postal rates. The report of the Committee of inquiry was received by the House at the Session of 1821. There were 35 post offices in the Province at that time. The British mail came once a month to Halifax during the summer and thence was forwarded overland to Quebec. In winter it came to New York and thence overland to Montreal. The time from Halifax to Quebec was eight days, from New York to Montreal, three days in summer and

*Another instance of the helplessness of the elective Chamber in the face of Royal prerogative appeared in 1823. The Lower House had asked for a list of the claims for War Losses as passed by the Commissioners appointed by Governor Gore. Sir Peregrine Maitland replied as follows on February 8th, 1823: "Gentlemen of the House of Assembly; I am acquainted with no document containing such information as you desire to obtain, unless it be a Report prepared by the Royal Command for His Majesty's information, and transmitted for that end to the Principal Secretary of State for the Colonies. A duplicate of this is, as you suppose, among the records in possession of the Government. I have not His Majesty's permission to give it publicity."

five days in winter, from Montreal to York, six days, from New York to York by Queenston and Dundas, about eight days. The rate on a letter from England to Halifax was 1s 8d. The internal rates from York were as follows: Port Hope, 6d, Belleville, 10d, Kingston, 10d, Cornwall, 1s, 1d, Dundas, 8d, Grimsby, 10d, Burford or Port Talbot, 1s, Sandwich or Amherstburg, 1s 4d. From York to Halifax the rate was 2s 9d. The Legislature determined that a Bill should be brought in establishing public posts and fixing rates for the purpose of raising a permanent revenue applicable solely to the improvement of post roads.

A new House of 40 members was elected in 1820 and for the first time the towns of York and Kingston had Members of their own. Levius P. Sherwood, the Member for Leeds, was elected Speaker. The Assembly was of Conservative tone and at the end of the Session of 1821 the Lieutenant-Governor commented on the "friendly intercourse between the two houses," a condition which was a distinct novelty. Times were hard and the financial administration of the Province was complicated by the inability of Commissioners from Upper and Lower Canada to agree as to the apportionment of duties collected at Quebec. The Province complained of arrears due from Lower Canada exceeding £15,000.

The death of Daniel Hagerman who had been elected a Member of the Assembly for Lennox and Addington occurred early in 1821. At the bye-election which followed Barnabas Bidwell, the first teacher in the Bath Academy, which was established in 1811, was the successful candidate. He was known as a man of Liberal habit of thought, and it is said that he was marked for destruction by the friends of the Administration. At the beginning of the Session of 1821 a petition by Timothy Storer and others was filed against his election, on the grounds that during his residence in Massachusetts he had misappropriated funds of the County of Berkshire and had been compelled to flee the country. It was said also that during the Revolutionary War he had taken the oath of allegiance to the United States, consequently abjuring his former allegiance to King George, and that when he had subsequently sworn fealty to the King as a Canadian subject during the war of 1812 he had said that he did not consider the oath binding, since it was compulsory. In the election trial evidence showed that there was no criminal intent on the part of Bidwell and that the Massachusetts shortage had been made good, but the prosecutors were resolved on getting rid of him. Ultimately he was unseated by a majority of one, the division being as follows: *Yea,* Jones (Grenville), Van Koughnet, Hagerman, McLean (Stormont) Gordon, Burwell, Bostwick, Macdonell, McMartin, the Attorney-General, Gates, Shaver, Ruttan, Crooks, Wilmot, McLean (Frontenac), Robinson—17. *Nay,* Wilson (Prince Edward), Baldwin, Pattie, Bâby, Randal, Paterson, Chisholm, Kerr, Wilson (Wentworth), White, Horner, Walsh, Hamilton (Wentworth), Clark, Casey, Nichol—16. The vote was taken on January 4th, 1822.

The bye-election brought out three candidates, Matthew Clark, Thomas Williams, and Marshall Spring Bidwell, son of the former Member and

the choice of his supporters. The Returning Officer, John McLean, announced that the fact of Bidwell having been born in the United States made him an alien, and for that reason he would not receive any votes cast for him. Protests were filed showing that the candidate had been in Canada since 1812 before the war, that he had been called to the Upper Canada Bar after the regular course of study and that he had taken the oaths of Office, Supremacy, Allegiance and Abjuration before the Court of King's Bench. The Returning Officer was wholly unmoved by these statements and refused all votes for Bidwell. The case came before Parliament and Clark was unseated.

Another bye-election followed. This time the Returning Officer was Robert Stanton who apparently was no more enamoured of the Reform candidate than his predecessor, for he adjourned the poll over Good Friday when George Ham had a majority of the votes, then on Saturday when the booth re-opened the Reformers declined to vote because of the illegal adjournment and Ham was declared elected. Mr. Ham was unseated and in the next and final bye-election Marshall Spring Bidwell was chosen. He soon made a name for himself as a fervent Oppositionist and as a vigorous debater.

The Parliament of Upper Canada prepared a Joint Address to the King dated January 8th, 1822, setting forth the claim to a proportion of the imposts on goods entered for consumption in Upper Canada and appointing Mr. John Beverley Robinson to carry the Petition to England.

Mr. Robinson arrived in London on March 22nd and was astonished to learn that the Government contemplated the re-union of the Provinces, as a money-saving measure. He admitted the difficulties which had arisen in the administration of both Provinces but he submitted an argument in opposition to the Union which had uncommon force and at the same time uncommon restraint. The final paragraphs of this argument were as follows: "I will take the liberty of remarking further that the Act by which the Province of Quebec was divided, and the present separate Government established, was the result of great and long deliberation; and if the change of a system so matured should prove disagreeable to the inhabitants of both or either of the Provinces, it may be expected that they will feel it more deeply in proportion as it shall appear to have been hastily decided on, and without an opportunity having been afforded them of making known their sentiments. The people of Canada have ever been treated by Great Britain with a mildness and a degree of parental indulgence that would make them the more sensible to any apparent want of consideration even of their feelings.

"Another matter occurs to me upon which it is necessary to guard against any erroneous impression. The French inhabitants of Lower Canada I am firmly persuaded, are as peacefully disposed, as much inclined to submit to authority, and as loyally attached to the British Government as any portion of His Majesty's subjects, and whatever trouble their representatives may give by refusing to make a permanent provision for the Civil List, or upon questions of revenue or of any kind between themselves and

the Executive Government is not to be ascribed to the preponderance of French influence over the English, but to that desire which is found in all Assemblies to assert to the utmost the share of power which they think the constitution gives them, a disposition which I think the descendants of England, Irish and Scotch will be found as likely to persevere in as the descendants of Frenchmen."

Mr. Robinson remained in England until the Government had drafted a plan of submitting the fiscal differences between the two Provinces to an Arbitration Board. Then as he was preparing to return he was requested by Earl Bathurst to remain until after the Session of Parliament which opened in February, 1823. He was in a position to give proof by information from Canada that the project of Union was distasteful. In the Parliament of Upper Canada during the Session of 1823 a resolution of thanks to Mr. Robinson was passed "for the distinguished ability, zeal and discretion manifested in the discharge of the important trust confided to him as Commissioner."

The revision of the British Imperial Navigation laws made it possible for American ships to engage in the trans-lake trade and in the Session of 1823-24 the Parliament of Upper Canada adopted a tariff on goods of American production. This first Customs legislation of the Province provided for a general tariff of 10 per cent. *ad valorem,* the special schedule being as follows:

| | s | d |
|---|---|---|
| Salt, per bushel | | 6 |
| Tobacco, per lb. | | 6 |
| Snuff, per lb. | | 4 |
| Sole leather, per lb. | | 3 |
| Harness leather, per lb. | | 4 |
| Calf skins and other skins, dressed as upper leather, per skin | 2 | 6 |
| Sheep skins, dressed, per skin | | 6 |
| Morocco, per skin | 1 | 6 |
| Beer, per gallon | 1 | 0 |
| Cider, per gallon | 1 | 0 |
| Distilled spirits, per gallon | 2 | 6 |
| Shoes, men's and women's, per pair | 2 | 6 |
| Boots, men's and women's, per pair | 5 | 0 |
| Nails, per lb. | | 2 |
| Scythes | | 7½ |
| Iron castings and tin wares at 20% *ad valorem* | | |
| Cotton and Woolen manufactured goods at 10% *ad valorem* | | |
| Saddles, bridles and harness at 15% *ad valorem* | | |
| Oxen, per head | 25 | 0 |
| Young cattle, from two to four years old, per head | 15 | |
| Cows, per head | 15 | |
| Live hogs, per head | 10 | |
| Pork, per bbl. | 10 | |
| Pork, not in barrel, per cwt. | 5 | |
| Flour, per cwt. | 2 | 6 |
| Beef, per bbl. | 10 | |
| Beef, per cwt. | 5 | |
| Hams and bacon, per lb. | | 3 |

The long frontier made smuggling easy and so far as tea was concerned the illicit trade could hardly be prevented. The whole question was the subject of an investigation by a Parliamentary Committee and the Report was presented on January 15th, 1824. In view of the fact that the tea duties were a subject of continual debate in the country for many years some extracts from the Report are here submitted. It appeared that before 1812 tea was openly imported from the United States under the sanction of Colonial Acts which existed for some years without attracting the notice of Great Britain. But the British Act of 52 Geo. III., Chap 55 declared that no goods or commodities whatsoever, except goods of United States growth or production, could be brought into the Canadas under penalty of forfeiture. Owing to the war, the Act did not come into force until 1815. Then it appeared that the effort of the East India Company to hold a tea monopoly in Upper Canada could not succeed. The Report said: "A trade to China having long been opened to the Americans, they import from that country abundant supplies of tea, said to be of a quality inferior to that furnished by the East India Company but sufficiently good for the purposes of a general market, and whatever may be the circumstances which enable them to do so, they import them at a rate much lower than the corresponding descriptions of the articles stand at in Great Britain, so much so that notwithstanding there is no duty charged in England on tea exported to the British Colonies, the American merchant transports his teas across the Continent and sells them by retail on the frontier opposite to Upper Canada at a price much lower than the wholesale merchant at Quebec can afford to sell the same articles for to the dealer, at the place of their importation.

"The inequality of price holds out a temptation to smuggling which is found to be irresistible. The supplies illicitly introduced from the United States are each year superseding more and more the demand for importations at Quebec. During the last year it appears that not more than 917 chests of tea have been legally imported into these Provinces, whose consumption is estimated at 10,000 by the Board of Trade in Quebec. The consequences are that the East India Company derives no good whatever from a restriction intended for their benefit. The Canadian merchant who ventures to import by the legal channel finds no sale, and the consumption is supplied in a manner that yields no revenue to the Provincial Treasury, while from the general demand for this particular commodity a system of smuggling prevails throughout the country which extends itself at the same time to every other article of commerce, thereby ruining the revenue, injuring the fair trader and corrupting the morals of the great mass of the people." Three remedies were suggested: first, that the East India Company should be authorized to export direct from China to Quebec; secondly, that the Canadian merchant should be allowed to import direct from China; third, that Canadians should be permitted to receive their tea

from the United States on payment of a duty so moderate as to leave no sufficient temptation to smuggling.

The Committee's Report concluded as follows: "Your Committee. . . are fully conscious that the monopoly of the tea trade is in the strictest sense the right of the Honourable East India Company, secured to them by an Act of the Imperial Parliament, and that an interference with that right will not be attempted and ought not to be expected but with their consent. The prospect of obtaining the objects to be prayed for must therefore rest on the hope that the Honourable the East India Company will not refuse their attention to the interests of their fellow-subjects or rather to the public interests of a Province however remotely situated; that they will distinguish between unreasonable expectation of indulgence and urgent representations compelled by necessity and that they will not suffer an evil to continue which they have it in their power to remedy, and which while it lasts is prejudicial to British interests in every sense, moral and political, and subservient only to the advantage of a rival power."

The Report was signed by George Crookshank, John Strachan and George H. Markland, representing the Legislative Council; and by John Beverley Robinson, Robert Nichol, Archibald McLean, Charles A. Hagerman, Charles Jones, and James Gordon, of the Legislative Assembly. Ultimately the privilege of direct importation was granted.

By 1824 the Gourlay Case had become a political issue and in the General Election it brought a number of new and important men into the Assembly. Chief amongst them was Dr. John Rolph, a man of acute intellect, gracious manners and convincing eloquence. He was the son of Dr. Thomas Rolph, an English immigrant of keen observation and some talent as a writer. As a youth John served in the war of 1812 as a paymaster of Militia but was taken prisoner and sent to Batavia, New York. At his exchange he went to England, studied Law at the Inner Temple, and was called to the Bar. Then he took a course in Medicine and Surgery under Sir Astley Cooper and returned to Canada. He was called to the Upper Canada Bar in 1821 and practised in the Long Point Settlement. For a number of years he was the professional advisor of Col. Thomas Talbot but his leanings against the Government ended that relationship, and he settled at the village of Dundas. He was elected to the Assembly for Middlesex, his colleague being Captain John Matthews, a retired officer of artillery settled in the Township of Lobo, whose natural military Toryism had been greatly abated. These two men were among the Oppositionists in the Assembly. They had the company of Marshall Spring Bidwell and Peter Perry of Lennox and Addington, both of whom were effective debaters—in the smooth and rough styles respectively—, of John Willson of Wentworth, who was elected Speaker, and of other active and useful Members. The command of a majority in the Assembly was an advantage more spectacular than real, for the Legislative Council was in the hands

of the governing coterie and rejected Assembly Bills with unedifying regularity. In the latter part of 1824 the Opposition Members in the Assembly met in company with Dr. William Warren Baldwin, his son Robert Baldwin, William Lyon Mackenzie and other sympathizers and organized a distinct political group. This was the beginning of the national Liberal Party of Canada.

In 1824 the School Appropriation of the Government was £2,897 17s 1d, of which £1,154 15s 9½d went for teachers' salaries. The teachers were George Ryerson, London District; Rev. Harry Leith, Eastern District; Thos. Creen, Niagara District, Rev. John Wilson, Midland District; Rev. Wm. Macaulay, Newcastle District; Rossington Elms, Johnstown District; John Stuart, Bathurst District; Rev. John McLaurin, Ottawa District; John Law, Gore District. In the Western District Alexander Mackintosh served during 1823 and was succeeded by David Robertson. In the Home District Rev. Wm. R. Brown taught until April, 1824, and was succeeded by Rev. Samuel Armour.

In the autumn of 1825 an American company of players was in York appearing in an upper room of Frank's Hotel. The actors delayed their departure unduly and were "frozen in," thus being compelled to remain long after their repertory had wearied the public. They appealed to the Members of Parliament to patronize them and relieve their distress; so on the evening of December 31st, 1825, Captain John Matthews, an artillery officer of 27 years' service, and Member for Middlesex, Philip Van Koughnet and half a dozen others from the Assembly trooped up to Frank's to hear Richard III. Before the play began the "orchestra"—probably composed of one fiddler—was commanded by the audience to play *God Save the King,* and then *Rule Britannia,* Captain Matthews "giving out" the verses so that the audience could sing. Then some one called for *Yankee Doodle* and *Hail Columbia,* merely in compliment to the American players. "Hats off," cried Matthews in a spirit of good-humoured banter. Some one attempted to tip Van Koughnet's hat, but he resisted and there was a mild scuffle which was soon quelled. Then the play proceeded, as well as it could in the presence of such an exuberant audience.

*The Quebec Mercury* and *The Kingston Chronicle* recorded the affair, showing strong political animus, and representing Matthews as being unpatriotic. Lord Dalhousie, the Governor-General, reported the case to England and at the next Session of the Parliament Matthews was astounded to receive orders from the Ordnance Department to proceed immediately to Quebec and thence to England to answer for "conduct utterly disloyal and disgraceful." When he applied to the Assembly for leave of absence the House appointed a Committee to inquire into the circumstances of the charge. The record of the investigation gives clear proof that the Governor-in-Chief had been imposed upon and that Matthews had been persecuted by political enemies. Matthews went to England as ordered, and succeeded in getting his pension restored. He never returned to Canada.

A letter signed by Robert Stanton, a York bookseller, on February 14th, 1828, says: "Matthews is a source of amusement and merriment to all within and without the bar. His manner this Session is most whimsical and he raises many a hearty laugh. It interferes, however, very often with the progress of business."

Through the indomitable spirit and energy of William Hamilton Merritt a company was formed in 1825 to construct a canal between Lake Erie and Lake Ontario. The building of the Erie Canal had roused concern, lest Canada might be left on a mere by-way of commerce; lack of enterprise to clear away the few obstacles which impeded traffic in the greatest of natural waterways might be expected to have serious consequences. A Parliamentary Committee consisting of Dr. John Strachan and Angus McIntosh from the Upper House and John Beverley Robinson, William Morris and J. Gordon from the Assembly made a Report during the Session of 1825-26 on the Welland project. It pointed out that three plans had been proposed: (1) for a channel 7 feet deep, 40 feet wide at the bottom and 61 feet wide at the water-level, with stone locks 100 feet long and 22 feet wide, and with turning bridges 22 feet "in the clear" and 10 feet wide—the whole cost to be £230,785 14s 1½d; (2) For a 5 foot depth, respective widths of 23 and 42 feet, locks 30 feet by 15, and bridges 15 and 10 feet—the cost to be £145,802 7s 8½d; (3) For a 4 foot channel, 20 and 32 feet wide and with locks on a corresponding scale, to cost £62,258 8s 10d. Scheme No. 2 was approved by the Committee and the House adopted the Report. The capital stock of the Welland Canal Company was £200,000.

The same Committee recommended that the proposed loan by the Imperial authorities of £70,000 to aid in the construction of a canal between Kingston and the Ottawa River should be accepted with expressions of the warmest gratitude. At the same period the Peter Des Jardins Company was engaged in the construction of a canal connecting the village of Dundas with Burlington Bay. Considering that the population of the entire Province at this time was only 156,886 one cannot but pay tribute to the courage and foresight of the leaders in Parliament and in the country.

In the Speech from the Throne in 1825, Sir Peregrine Maitland made the following reference to the modification of the British Corn Laws—the first hesitant step towards free trade in food—"We are directly and deeply concerned in the Act which has been recently passed for admitting the wheat of the North American Provinces into the United Kingdom. In the limited duration of that measure and in the circumstance of its provisions being confined to the importation of grain, we cannot but perceive proofs of an apprehension on the part of the Imperial Parliament that this indulgence may be injurious to those great domestic interests which it is their care to protect. It is left to us, however, to hope that this act is the beginning of a system which experience may prove to be as reconcilable with Provinces." Concerning the tea question the Governor said: "The good consequences which it was hoped would follow the permission of a direct

importation of tea from China have been already in a great degree realized."

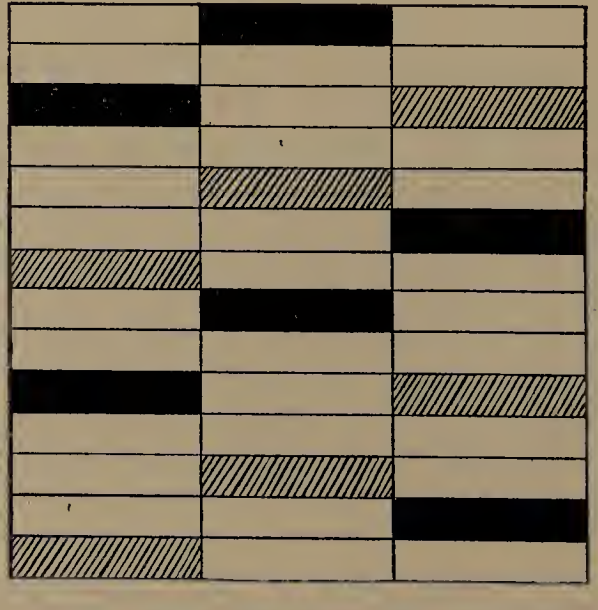
An attempt was made on January 11th, 1826, by the Tory leaders of the Assembly to pass a resolution declaring that Gourlay's political principles and plans had been hostile towards the Government of the country and that persons who still vindicated and avowed them were unworthy of the confidence of either Government or people. The resolution was defeated by a majority of 9. The vote was 12 for and 21 against.

Law Officers of the Crown in England had determined that Canadian settlers of foreign birth—even discharged soldiers who had served in such corps as De Watteville's Regiment—could not be considered as British subjects; hence as aliens, they could not hold lands even under Royal grant. Earl Bathurst recommended the passing of legislation for the relief of such persons and the first Naturalization Act was the consequence.

Sir Peregrine Maitland was of the opinion that Toronto was not a suitable place for the seat of Government. He considered that a townsite should be surveyed on the eastern shore of Lake Simcoe, as being less open to attack, and believed that the Trent and Rideau systems of waterways could be used to establish easy and safe communication with the Ottawa River. With that in view he had sixteen townships opened for settlement, stretching from Lake Simcoe to the Ottawa, and purchased for £450 a townsite at Roche's Point, but the plan came to nothing. The new Parliament Buildings, completed in 1832, stood on Front Street between Simcoe and John Streets and had a long career of usefulness—until crowded out of existence by the demands of the railways for additional freight yards.

Gourlay's excellent Statistical Account of Upper Canada contained a map, in a corner of which appeared a diagram of the method of laying out land in the Colony. Since the Clergy Reserves were the subject of a long and acrimonious political discussion, the diagram is worth reproducing:

This represents a Township divided into 42 lots. Six, the dark-shaded ones, were reserved for the support "of a Protestant clergy," and six, the light-shaded ones, were held as Crown lands. The difficulty of road-building, when so much of the land was left unsettled is obvious.



Since the Constitution of Upper Canada had its model in that of Great Britain the Establishment of the English Church was considered by the ruling classes on both sides of the sea as a thing settled. In England the Church was as much a Department of Government as the House of Commons; bishops and clergy were officers as truly as

army and navy leaders. Therefore in Canada provision was made from the beginning of the Province "for support of a Protestant Clergy" by the setting aside of one farm lot in seven. These lots were not held in one block for each Township but were scattered through the settlements so that they would increase in value as the adjacent properties were improved. The disadvantages of the system were stated on March 3rd, 1794, by Asa Porter and Nicholas Austin in a letter addressed to Lord Dorchester. They said that in forming a settlement in a rugged, new country great advantages were found in having the farms contiguous. The draining, ditching and fencing were made practicable. The roads could be constructed more easily and kept open through the winter. The people could more conveniently unite their strength, which was often necessary to remove the many obstacles they had to encounter in subduing the wilderness. Further, wheat could not be grown near the woodlands on account of the "birds and reptiles" with which they abounded. The shade of tall trees also injured the crops of the adjoining fields and meadows. Concentrated settlement made for the comfort and convenience of the settlers and rendered their situation less gloomy and dismal. The Governor in reply said that Royal instructions required the Crown and Clergy reserves to be in detached parcels, and those instructions could not be departed from.

Aside from the practical objections which were soundly based and reasonable sentimental objections to the Clergy Reserves soon appeared. Newcomers from the United States and from Great Britain were of a class to which Methodism had made a strong appeal—a class which in the Old Country had been either arrogantly supervised or coldly neglected by the Established Church. Here in the woods they found self-sacrificing saddle-bag preachers fighting diabolism in their own persons, men consumed with zeal, fervent in tribulation, untiring in activity.

Some settlers were Methodists; some, Baptists; some, Congregationalists; some Calvinists. Quakers, Mennonites, Tunkers, Lutherans were found in various parts of the country, and among the official classes many persons favoured the form of Presbyterianism which was Established in Scotland. All these denied the justice of Establishing the Church of England and spending any part of the money collected from the settlers in taxes for the support of a form of worship to which they were opposed. The Constitution reserved the lands "for a Protestant Clergy." Dr. Strachan and the officials of Government interpreted that phrase in the narrowest way. To them the only Protestant clergyman was one in Anglican Orders, and the only form of education worthy of Government support was that under the control of the Church of England. When Dr. Strachan secured from England in 1826 the Charter of King's College the people of the Province had another basis for complaint, for the proposed College was to be governed as a Church of England institution. The single concession made to the claims of Dissent was that the students would not be required to take a religious test.

The feeling of Methodist people towards the protagonists of Anglican Establishment was embittered by the constant assertion or implication that

their itinerant pastors taught republicanism as well as religion and were pro-American in politics. That charge was first made in 1794 by Bishop Mountain of Quebec who noted the presence in Upper Canada of " a few itinerant and mendicant Methodists who were a danger to public order." For thirty years this charge was made again and again, although in the War of 1812 Methodists had done their full duty to the Government.

At last, in 1827, Dr. Strachan wrote a letter to R. J. Wilmot-Horton (*) respecting the state of "the Established Church of Upper Canada" and enclosed an Ecclesiastical Chart purporting to show that the Church of England was making remarkable progress. The letter and chart were published and some of the statements in them were challenged in the House of Assembly. During the Session of 1828 a Select Committee composed of Marshall Spring Bidwell (Chairman), Peter Perry, John Matthews, Hugh C. Thomson and George Hamilton examined some fifty witnesses on a series of questions drafted from Dr. Strachan's letter.

The first of these questions read as follows: "Do you think that the teachers or members of the different Christian denominations in this Province, unconnected with the Church of England, are for the most part from the United States, and that there they gather their knowledge and their sentiments?" Among those who said "No" were Rev. Wm. Case, Rev. Wm. Ryerson, Rev. Egerton Ryerson, Donald McDonald of Ottawa District, Dr. John J. Lefferty of Niagara, Rev. Alex. Stewart, Elder of the Baptist Church of York, D. McCall, M.P., Reuben White, M.P., Zaccheus Burnham, Rev. James Richardson (who had lost his arm at Oswego), James Wilson, M.P., Paul Peterson, M.P., Thos. Horner, M.P., Edward McBride, M.P., B. C. Beardsley, M.P., Rev. Geo. Barclay, a Baptist Minister, Thos. Coleman, M.P., Philip Van Koughnet, M.P., Ebenezer Perry, Charles Fothergill, M.P., Doctor Dunlop of the Canada Company, François Bâby, M.P., Rev. James Harris, Mr. Morrison, D. Cameron, M.P., Captain Matthews, M.P., James Lyons, M.P., Arch. McLean, M.P., John Willson, William Dickson, Thomas Clark, John Rolph, David Jones. Rev. Alexander Macdonell gave a qualified negative. Four thought that the statement might have justification, although they had no personal knowledge to fortify their opinion. These were Hon. John Beverley Robinson, William Thompson, M.P., Alexander Macdonell, M.P., and James Gordon, M.P.

The second question follows: "Do you think that the influence and instruction of the Methodist Preachers in this Province are rendering, and have a tendency to render, a large portion of the population of this Province hostile to our institutions, civil and religious?" Five witnesses said "Yes," forty said "No." Mr. Robinson was again with the minority. His answer was as follows:

*Sir Robert John Wilmot-Horton, Bart., Under Secretary of State for the Colonies from 1821 to 1828, an ardent supporter of emigration as a remedy for poverty, and an advocate of greater liberality in the law respecting Roman Catholics. He was the author of several pamphlets on these subjects. Greville said of him "He is full of zeal and animation but so totally without method or arrangement that he is hardly intelligible. His attack on Cobbett was well done, and even eloquent." It was in Wilmot-Horton's time that "Peter Robinson's Irish" settled at Peterborough.

"I cannot speak from facts within my knowledge. I have heard it so often stated that I believe it to be a very common opinion that the preachers from the United States, being naturally attached to their own country and its laws inculcate sentiments at variance with our constitution..... This is so naturally to be expected that I have always regretted that the British Wesleyan Methodists should have made an arrangement by which their missionaries were to be withdrawn from this Province and the people placed under the guidance, even in spiritual matters of preachers from a foreign country."

By overwhelming testimony the Committee learned that the people generally were hostile towards the Establishment of any Church, and that there was no growing interest in the Church of England. A religious survey of the Province compiled for the use of the Committee showed that the Church of England had 31 preachers, 38 churches, but an unreported number of members. The Presbyterians had 16 preachers and 22 churches. The Baptists had 45 preachers of whom four were born outside the British Dominions, and these four had become naturalized. The Methodists had 117 preachers. Thirty-seven had been born in a foreign country, but twenty-nine of these had become naturalized. The membership was 9,009 and the total numbers of regular hearers, 39,911. The population of the Province in 1826 was about 156,000.

Dr. Strachan's opinions were not modified by the testimony received. When called as a witness he said that in drawing up his letter to Mr. Horton, and the accompanying Chart, he was called upon suddenly to do it "to repel an attack of the Kirk of Scotland" and some trifling inaccuracies might have crept in, although they in no way affected the argument.

Bearing in mind the rooted prejudices of Dr. Strachan and John Beverley Robinson, who were the chief advisors of Sir Peregrine Maitland, and considering at the same time the fervency of all people at the period in religious affairs, one may understand how disaffection grew. Errors of administration in the matter of land grants, stupidity in the methods adopted to quell criticism, cold neglect of the recommendations of the Assembly which certainly represented the better classes of the community—these conditions were the occasion of protests, but when the Government studied to offend the religious sensibilities of a great mass of honest and worthy people and to slander their leaders the consequences were more serious. The assumption that Methodism was a danger to the State, because the first preachers of that form of Christianity had come from the United States was a sublime bit of foolishness, unthinking, and impolitic. It opened the way for criticism in and out of the House of Assembly; religion was a subject of prime political importance. More than one candidate of practical turn of mind followed the example of Isaac Swayzie who said: "At election times I pray with the Methodists." How he prayed between-times may have been a matter of less consequence. Gourlay probably doubted if he prayed at all, since it was Swayzie who swore out an information against him that ended in his imprisonment and banishment.

The Board named for the distribution of the Government grant to Common Schools in 1820 and 1821 was composed of Hon. Dr. Strachan, William Allan and Grant Powell. Thomas Appleton, a teacher from Yorkshire, had arrived in York early in 1819 and immediately was engaged to conduct a school in a building which was already erected. The trustees were Jesse Ketchum, Dr. Morrison and Jordan Post. For more than two years the Government grant was paid to Mr. Appleton; then it was refused for the reason that the Lieutenant-Governor had invited a teacher from England to establish a "National School" on the Bell System. This teacher was James Spragg. On his arrival Dr. Strachan demanded that the existing school should be handed over to him for the "Bell" experiment. The trustees declaring that they were satisfied with Mr. Appleton refused and by their refusal compelled the establishment of the Upper Canada Central School, in September, 1820, directed by Mr. Spragg.

Appleton complained on several occasions of the discrimination against him and finally, in 1828, the case was investigated by a Select Committee of the Legislature. The report of that Committee expressed regret that tried teachers should be superseded by the erection of what was termed National schools, supported out of the revenues of the Province without the knowledge or consent of Parliament. The Committee found that pupils taught by Mr. Appleton were further advanced in their studies than those under Mr. Spragg and added this sentence: "The National School is founded on Mr. Bell's system and is professedly adherent to the Church of England; and therefore ought not to be supported by the revenues of a country struggling against ecclesiastical exclusion." The evidence showed that the "National" school was nominally free, although those parents who chose to do so, might pay 2s 6d a month for each pupil. The teacher was fortunate enough to receive a salary of £250, with about £50 in extras. Appleton's school was independent and the rates were 5s per month per pupil. This case is cited merely to show the habitual lack of regard on the part of the Governing faction for the Commons branch of the Legislature. The Lieutenant-Governor and his advisors did what was right in their own eyes and in the doing of it displayed a tactlessness that was almost bovine. Even Spragg himself when recalled to give further testimony refused to attend without the permission of Sir Peregrine Maitland.

Dr. Strachan was an extremist in the support of Authority. He held that the subject was under obligation to come smartly to attention at the word of command, therefore that every form of complaint against magistrates and rulers, petty and great, was the beginning of disloyalty. His argument in support of the Establishment of the Church of England rested not on its suitability for the Province, nor on the desires of the inhabitants; it was rather based upon the fact that the Church was an integral part of the British system of Government. The subject of Great Britain, he considered, was bound to accept without cavil the practice of the parent State since its authority was admitted. An amusing instance of the Bishop's

own inconsistency was unveiled at this inquiry of 1828 in the testimony of John Fenton, parish clerk of St. James's Church. He was asked if he had ever heard in St. James's the reading of the Athanasian Creed at the times appointed by the Prayer Book. He said No. In our day there is a large liberty permitted to Anglican priests in the use of this Creed which specifically consigns to eternal torment all who do not accept the Doctrine of the Trinity, and the true and catholic faith. But in Bishop Strachan's time the damnatory clauses thundered out on Trinity Sunday and on certain other occasions in practically every Church. The definite refusal of Dr. Strachan to read them is a proof of his breadth of view and decisiveness of character, rather than of his own willingness to accept blindly ecclesiastical authority.

In 1825 Francis Collins, an Irish printer, established in York *The Canadian Freeman* and began an extended course of criticism. There was no sign of restraint in his writings, particularly when he was dealing with the shortcomings of Sir Peregrine Maitland, John Beverley Robinson, or the Boultons. For three years Collins was left alone; then in April, 1828, he was indicted on two charges of libel, one against the Lieutenant-Governor, the other against Henry John Boulton, Solicitor-General. He had accused Boulton of murder, because he had acted as second for Samuel Peters Jarvis in a duel which had resulted in the death of John Ridout, eleven years before.

When the cases came up for trial Collins in open court made an attack upon Robinson for neglecting his duty as Attorney-General, in not bringing Boulton to "justice." He was supported in this curious and irregular action by Mr. Justice Willis who had a steady quarrel with the Attorney-General and the Governor. Collins went before the Grand Jury and not only charged Boulton and J. E. Small with murder, as seconders of a duel, but laid a complaint of rioting against S. P. Jarvis and six of his associates in the attack on Mackenzie's press in 1826. True bills were found and in the trials which followed Boulton and Small were acquitted, while the rioters were found guilty, and fined 5s each. Meanwhile no immediate action was taken on the libel charges. They were traversed to the next Assizes when Collins was acquitted.

In reporting the trial *The Freeman* accused the Attorney-General of open, palpable falsehood, and referred to his "native malignancy." Another charge of libel was brought against the Editor. He was convicted and sentenced to pay a fine of £50, to be imprisoned twelve months and to find securities of £600 for his good conduct for three years after his liberation. The terms were such as to condemn the man to hopeless imprisonment. As a result of an Address to the King prepared by the Assembly in March, 1829, Collins was released. He had continued during his imprisonment from October to May to write for his paper; *The Freeman* lasted until 1834 when Collins died of cholera.

The Government had no obligation to the Assembly and had neither

the desire nor the wit to justify its actions before men or to expose the motives governing its policy. Thus it was continually open to misrepresentation, either innocent or calculated, and the chariot-wheels "drave heavily." The case of Judge Willis illustrates the situation. John Walpole Willis was an English Chancery lawyer who was appointed *puisne* Judge of the Upper Canada Court of King's Bench in 1827, with a view to the future establishment of a Court of Chancery in the colony. On this point the Colonial Office and the Administration of Upper Canada held diverse views. The conduct of the new Judge when he discovered that his hopes were likely to be frustrated was petulant and ill-advised. He assumed an attitude of contempt towards his colleagues on the Bench and towards the Law Officers of the Crown, and at the same time cultivated the friendship of leading Oppositionists. The Radical newspapers were strongly in his favour.

In the Collins case Willis had a quarrel in open Court with John Beverley Robinson, the Attorney-General, declaring that he had neglected his duty. In reply Robinson said: "My Lord, I know my duty as well as any Judge on the Bench. I have followed the practice of my predecessors in this Province, and I shall continue to act in the same manner as long as I am prosecuting officer for the Crown." "Then, sir," said Willis, "if you know your duty you have wilfully neglected it; and as you say you will continue to act as you have done hitherto I shall feel it to be my duty—holding as I do His Majesty's Commission on this Bench—to make a representation of your conduct to His Majesty's Government." In commenting on this incident Dent says in *The Upper Canadian Rebellion*, "Judge Willis seems to have been wrong in his law, wrong in his etiquette, wrong in his temper and wrong in his construction of judicial amenities." Such a statement from a resolute partisan of the Reform party leaves no room for doubt. The Reformers were bestowing adulation upon a man who was not worthy of their praise, merely because he was in opposition to the Government.

The next important act of Judge Willis was to declare that the Court of King's Bench was not legally constituted unless three Judges were present. Chief Justice Campbell was in England during 1828 leaving only Willis and Sherwood on duty. Willis then retired from the Bench until the question could be decided in England, and Dr. Baldwin. Robert Baldwin and John Rolph refused to practice as Barristers. The Executive Council removed Judge Willis from office until His Majesty's pleasure should be known and appointed Christopher Alexander Hagerman as *puisne* Judge in his room. In this action the Government was sustained by the English Privy Council. All the rights in the Willis case were with the Government but it was helpless to command popular approval in the face of a virulent agitation in which moderate reformers and Radicals joined in vociferous chorus.

On the Canadian bank of the Niagara River the original surveys had reserved a strip of sixty-six feet in width for the uses of the Crown. William




SIR JOHN COLBORNE (Lord Seaton)
From the painting in the John Ross Robertson Collection

Forsyth, an inn-keeper at Niagara Falls, in 1827, owned the most of the land which afforded the best viewpoints for tourists, and considered that he would do a good stroke of business by erecting a high fence, so that none could see the cataract except by coming through his house. Complaints were made; on inquiry by military officers it appeared that part of the Government Reserve had been fenced in. Forsyth was notified to remove the fence; when he declined a fatigue party of Royal Engineers under Captain Phillpotts did it for him. The inn-keeper rebuilt the fence; the Engineers tore it down again, and gave proof that they were acting at the direct order of the Lieutenant-Governor whose summer-place, by the way, was at Stamford, a mile or two up the River. The Reform Party declaimed about the overriding of civil law by military action, and more importance was given to the case than the circumstances warranted. It must be remembered that the direction of military affairs was beyond the competence of the Parliament of Upper Canada. The Lieutenant-Governor was Commander-in-Chief, and was responsible only to the War Office in London for this portion of his administration. The Crown reserve along the banks of the River had been set aside primarily for defensive purposes and it was the clear right of the Lieutenant-Governor to deal with infringements upon it. Moreover the erection of the fence was clearly against the public interest and no direct action was taken until Forsyth had been warned.

The Assembly held an inquiry and summoned Col. Coffin and Col. Givens to give evidence. As military officers they were forbidden to attend, the Governor probably being of opinion that the Legislature was going outside its field. They were committed for contempt but three days afterwards the House was prorogued and they were free. The judgment of the Home authorities—being based on the established principles of military subservience to the British Parliament—was that Sir Peregrine Maitland would have exercised a sounder discretion had he permitted the officers to appear before the Assembly, and had he prevented Forsyth's encroachments by means of the civil power. Sir Peregrine was transferred to Nova Scotia and was succeeded by another eminent soldier, Sir John Colborne who arrived at York in 1829.

The refusal of Spragg, Coffin and Givens to answer reasonable questions before a Committee of the Assembly, which surely had a constitutional right to inquire into the public business, had a sequel. In 1829 soon after the Government had been taken over by Sir John Colborne a group of amateur politicians with more energy than intelligence paraded an effigy of the Governor in the streets of Hamilton. Friends of the Government declared that the Reformers were responsible, whereupon the Reform Party in the Assembly determined upon an inquiry. Among the witnesses summoned was Allan MacNab, an effervescent Tory lawyer, who deemed it due to his Toryism to refuse to answer certain questions and to express himself with indiscreet fervour concerning the rights of his inquisitors. Being charged with contempt he was committed to the York jail where he

remained for ten days, and at the same time mended his fortunes by becoming a martyr in the cause of Government. In 1830 he was elected for Wentworth, beginning thus the political career which ended in the Premiership of United Canada, and a baronetcy.

Hon. Henry John Boulton, the Solicitor-General, at this same inquiry also made the experiment of flouting the Committee, but on being brought to the bar for contempt made an apology. The House, on motion of John Rolph and Dr. Ambrose Blacklock, resolved that he be admonished by the Speaker and discharged. Marshall Spring Bidwell had had no more bitter enemy than Henry John Boulton and there were some who expected that the reprimand would not lack in pungency. On the contrary, it was a rebuke that was almost courteous. "By every member of the Community," said the Speaker, "a ready and cheerful respect should be shown towards the House of Assembly who represent the people of the Province, whom the constitution has entrusted with important privileges for the benefit of their constituents, and who are amenable to them for all that they do. But it might in a peculiar degree have been expected of you, whose duty it is to enforce submission to the laws and respect for the institutions of the country." Here Mr. Boulton was informed that the House could not permit this formal and gratuitous denial of its authority to pass unnoticed. "It is important," the Speaker continued, "that by its proceedings against you a warning should be given, before others are led by the influence of your sentiments and conduct to dispute an authority which the House is bound to vindicate and enforce. It is necessary that it should go thus far; but it gives me great satisfaction to observe that its duty does not compel, nor its inclination induce it, in your case, to go any farther than is requisite to attain this object; and finding from your answer that you are now disposed to treat its privileges with just and becoming respect and to defer your own private opinion to the judgment of that body whose constitutional right it is to decide upon its own privileges, it is willing to dismiss you with no other punishment than this admonition from its Speaker. This moderation is a proof that these privileges have been safely lodged by the Constitution in its hands, and that they will never be used in a wanton and oppressive manner. It is by the order and in the name of the House that I thus admonish you, and direct that the Sergeant-at-Arms do now discharge you from custody."

No evidence, other than the text of this reprimand, is needed to prove that Marshall Spring Bidwell was an ornament to the public life of the Province and that the Reform Party lost much when Mackenzie's violence and Sir Francis Bond-Head's fussiness compelled him to withdraw across the border.

It is not to be denied that a larger measure than usual of the "insolence of office" was displayed by the rulers of Upper Canada, from the Governor himself down to the least efficient and most drunken of the magistrates in the remotest district. Men of honesty and intelligence have resented that

form of stupidity since government began on the earth, and will resent it while time lasts. The willingness to be a bully—to beggar my neighbour—is mankind's besetting sin; it brings its punishment to the offenders in political reprisals, rebellion and revolution. Here is a trivial incident which may be counted as typical. In 1828 the Home District Court sat on one occasion with only one magistrate on the Bench—Dr. Grant Powell, son of the Judge. There was a suit for a small debt and the evidence was fairly clear when the case went to the Jury; so clear, that the Magistrate informed the Jury he would expect their verdict within fifteen minutes. He added that if it was not forthcoming he would lock them up until three o'clock—it then being about eleven in the forenoon. Dr. Powell was an official of the Legislature and was due at the Parliament Buildings. The Jury did not reach a verdict until forty-five minutes had passed, and then discovered that the magistrate was not available. The constable was under strict orders to keep the Jury until three o'clock and did so, not even permitting temporary withdrawal from the room. The case made a minor tempest and was the subject of a Legislative inquiry. In a feudal country accustomed to offensive dominance by the upper class such conditions would be objectionable, but Upper Canada was inhabited by freemen with all the qualities of initiative and courage sharpened by the unending battle with the forest. They had the workers' scorn for sinecurists and placemen, whom they considered as lesser men than themselves. Thus they would regard such instances of arrogance with a hot anger breaking through the smouldering coals of general discontent.

In the records relating to Sir Peregrine Maitland's administration the name of Major Hillier is constantly recurring. He was the Lieutenant-Governor's military secretary and man of affairs, and buzzed through Upper Canada society with all the energy of the busy bee. Contemporaries describe him as a dapper little man, perfectly groomed, and clothed with dignity as with a garment. The more rabid Reformers hated him not only because he was the mouthpiece of the Governor and his advisers, but for himself alone.

# CHAPTER X.

## THE MACKENZIE REBELLION

Not infrequently a man with a loose tongue and a desire for public notice establishes a periodical and begins to be a censor. By bold libels, by covert libels, or by other means he stimulates the circulation of his paper and so comes to notoriety. If some historian a hundred years hence were to discover a file of some such pariah-weekly for 1927 he would get a distorted and erroneous view of the period. Our public men generally are honourable and worthy of the public confidence. Tories and Liberals alike may be counted as decent citizens. Hypocrisy is not the ruling characteristic of the Church, of Government, or of Society. The historian of 2027 would be wise to establish a discount-rate for application to any statement by the hypothetical editor of 1927 before he would be in the way of securing a just notion of the public life and private situation of Canadians. It is fatally easy to be censorious, and a man of most ordinary talents as a writer can be satirical if he be sufficiently egotistical and sufficiently ill-tempered.

Perhaps some students of the period from 1824 to 1837 in Upper Canada have been too trustful of *The Colonial Advocate,* perhaps the discount-rate has been too low. As one considers these virulent criticisms, freely distributed to the addresses of most officials, questionings must necessarily arise. Was William Lyon Mackenzie a great statesman breaking a lance against the Appolyon of administrative cruelty and corruption, or was he an opinionated, self-centred, lively Editor, finding the easy way to notoriety? Politicians of the two schools probably are determined in their minds, one way or the other; but the ordinary person will not be convinced either of Mackenzie's heroic quality, or of his smallness. Instances of his petty dealing sully the first picture, and examples of his high-minded unselfishness raise doubts concerning the second. Perhaps he may be considered as wearing the *grey* flower of an *average* life—"even as you and I."

Liberals have delighted to call Mackenzie the Father of Reform—as if none before him had protested against the rigidities of Government, as if he had been the first protagonist of the subject's rights. Yet the principle of Popular Objection, which is the beginning of Liberalism, was applied even before Upper Canada had a separate existence—when the few scattered settlers avowed their opposition to Seigniorial Tenure and thus prevented its extension to the Upper country. Then after Simcoe's arrival the people of Adolphustown by steady complaint compelled the legalizing of the Town Meeting which was the germ of responsible government in Upper Canada. Benajah Mallory, of Burford, was a consistent Objector in Parliament from 1805 onward. Joseph Willcocks, as editor and parlia-

mentarian, protested quite as vigourously as Mackenzie against the ills of mal-administration, and like Mackenzie, when peaceful means failed, lent a hand to aid the enemies of his country. The fact is that the movement towards responsible government was progressive—from 1787 to 1849—and that in two generations many men contributed to its realization. Without Mallory, Willcocks and Gourlay to precede him, and prepare the public mind, Mackenzie's work would have been futile. Even in the actual circumstances it scarcely escaped futility because of the insane impulse which drove him and some of his followers to arms and thus stiffened Tory resistance to any sort of Reform.

British statesmen after the fight for the Reform Bill were not impervious to reason. The Seventh Report of the Committee on Grievances received serious consideration at the Colonial Office. Mackenzie and Dr. Duncombe had been in England where they were encouraged to speak their minds. Lord Goderich had shown a disposition to placate the Reformers by instructing the Government of Upper Canada to vary the existing practice. When Sir John Colborne protested he was recalled; when Henry John Boulton and Christopher Hagerman proved recalcitrant they were removed from office. One cannot but think that the signs were propitious for the Reform Party, and that continued protest, after the Constitutional manner, would have achieved the desired end. As it was, two good men and a number of less worthy persons were hanged or shot by process of law, many were exiled, more than eight hundred citizens found themselves in jail; many of them unjustly; public opinion was ranged definitely on the side of the extreme Tories; the relations between Canada and the United States were embittered; the life of a great statesman, Lord Durham, was shortened and the actual boon sought did not come, even in part, until after the Parliament Buildings in Montreal were burned in 1849.

It is easy to say that the Rebellion was necessary before Canadians could obtain their liberties. Some public men have almost given thanks for the forging of the pikes and have conferred upon William Lyon Mackenzie a sort of minor canonization. His contemporaries made no such error. They saw the misery wrought by a Man in a Hurry; Tories of all ranks never forgave him, his former political associates wrangled with him and openly called his veracity in question; he himself in later years felt the bitterness of dying with few real friends. For all this his personality was so striking and his courage so steel-clean as to command admiration, even over the gulf of ninety years. Distance obscures the faults and failures and clothes Mackenzie with a romantic haze. Through that haze he is a Great Man to all Canadians, and a hero to those who have hereditary and sympathetic affiliations with the Liberal Party. Mackenzie was *alive*. He scintillated with vitality, with fierce, intractable energy that compelled him to drive at full speed like a Galway huntsman, contemptuous of obstacles, to achieve heavy tasks in narrow limits of time. His quarrel with foes and friends alike was caused mainly by their lack of energy; he had no

patience with cold men—refusing to do what he perceived *must* be done *immediately* until they had indulged in long calculations and abstruse weighing of probabilities. He raged at static men, governors, clergymen, judges, officials and the like, satisfied with themselves and all the world, unwilling to be stirred to action, sunk in slothful content. They said that he was a madman—until some piece of keen, swift analysis proved his sanity and roused them to reprisals. His friends considered his judgment to be unsound. That was to be expected. He had no time to form judgments; they are the fruitage of reflection and reflection implies sitting still and doing nothing. Mackenzie acted on intuition and impulse because that was his nature, as it is the nature of a wire-haired fox-terrier. The terrier is neither dignified nor stately; he is too much alive to be concerned with any non-essential. He has something to do every moment of the day and he does it with a fiery intensity that compels wonder and even respect.

Mackenzie was the busiest man of his generation. Sometimes his occupations were useful, sometimes they were trivial and useless. So many of his labours were unremunerative that he never was rich, seldom comfortably off. For the greater part of his political career he was in financial difficulties and more than once he tasted the wormwood of real poverty. Yet he refused at least one post under Government—that of Deputy Postmaster-General—which would have made him rich. His labours were too diffuse to be profitable to himself. He never brought his activities to a point or schooled his impulses. Such action would have been foreign to his temperament. As a political leader, and a revolutionist, his power to rouse the people was his chief asset. Folk will always run to a fire; Mackenzie's personality was ardent, white-hot, coruscating—like iron wire burning in oxygen. Men flocked to see the phenomenon, and were stimulated. He won converts as easily as a new evangelist, but having won them, he had not the organizing genius or the diplomatic temper to hold them. The district leaders of the Reform Party could not keep on good terms with him. They were so keenly conscious of his errors of judgment that they refused to accept his leadership; in turn, he was so enraged by their timidity and their questionings that he was likely to flame-out upon them at any moment.

William Lyon Mackenzie, after a course in retail business, made his first appearance on the political stage of Upper Canada by the founding of *The Colonial Advocate*. Vol. 1, No. 2, published at Queenston on Thursday, May 27th, 1824, may be seen in the Toronto Public Library; it will be found pungent enough. On the front page of the small octavo sheet the following notice appears: "This work will be presented and forwarded regularly to the following individuals, free of any expense whatever, and we shall continue to add to this list such names of public characters as from their situation or talents in Britain or the United States may be supposed to exercise an influence over public opinion in these countries as well as in the colonies: *In Great Britain*: Earl Bathurst, Viscount Chateaubriand

(London), Lord Holland, Rt. Hon. George Canning, Rt. Hon. F. J. Robinson, M.P., Henry Brougham, Esq., M.P., Alexander Baring, Esq., M.P., Sir James Macintosh, M.P., Joseph Hume, Esq., M.P., John Gladstone, Esq., M.P., Rev. Dr. Chalmers, St. Andrew's, Rev. Andrew Thomson, Edinb., Professor Leslie, Edinburgh, Francis Jeffrey, Esq., Edinburgh. *In France*: Marquis La Fayette, Duke de Rochefoucalt (sic) Liancourt, Sir Charles Stewart, Paris. *In the British Colonies*: The Earl of Dalhousie, Sir Peregrine Maitland, K.C.B., Sir James Kempt, G.C.B., Sir Thomas Brisbane, N.S. Wales, James Stuart, Esq., of L.C., London. Nor can we deny ourselves the pleasure of inserting in this list of free papers the name of our Statistical writer and exiled patriot, Robert Gourlay, London. *In the United States*: The President, Hon. De Witt Clinton, The Vice-President, John Quincy Adams, Henry Clay, Esq., Wm. H. Crawford, Danie (sic) Webster, John Randolph, Esq., Morris Birbeck, Esq., Illinois."

The leading article was a well-argued protest against the compelling of Canadians to buy tea from the East India Company. There was a series of satirical flings at John Beverley Robinson, the Attorney-General, and a rhymed burlesque of Henry John Boulton's election address. In the course of an article on education Mackenzie declared that Harvard or Yale should be preferable to any Upper Canada district school and added: "If it is found impossible to establish in Upper Canada a University as free from test-oaths as are Harvard and Yale, if Government chooses to have an established Church University as well as an established Church, it is well; let them have it. We, in such a case, would certainly prefer to be unconnected with the pile of intolerance."

It is not surprising that the official class regarded Mackenzie with distaste. The time of free press-criticism on public affairs had not yet arrived and the editor who ventured an opinion at variance with that of the Governor and his entourage was bold almost to recklessness. The list of the Chosen on page one of *The Colonial Advocate* must have been scanned by the Administration with indignation—Gourlay, the despiser of Authority, at least, of York authority, Henry Clay, the Anglophobe, John Randolph, the fire-eating Virginian, La Rochefoucault-Liancourt and the rest. Were these the men that a docile Colonist of a proper loyalty delighted to honour? Moreover Mackenzie was facile in the invention of vituperative epithet. On June 10th, 1824, he wrote: "Not to gain the wealth of the Indies would I cringe to the funguses that I have beheld in this country, who are more numerous and pestilential in the town of York than the marshes and quagmires with which it is surrounded." On October 13th, 1824, the corner stone of the first Brock's Monument at Queenston was laid. After the ceremony Sir Peregrine Maitland learned that the jar, placed according to tradition in the hollow of the foundation, contained a copy of *The Colonial Advocate*. Lest posterity might be corrupted by the reading of the Editor's reprehensible articles, the Lieutenant-Governor had the foundation stone uncovered and the offending journal removed.

This one incident explains more clearly than columns of description the state of perpetual indignation in which the official administrators found themselves. It shows also the yawning chasm in the mind of the melancholy soldier where a sense of humour should have been.

For the first two years of Mackenzie's activities as a guerilla journalist his effectiveness was by no means extraordinary. Subscribers to his paper were dilatory in payment, collections were expensive, and the postal rates, which were high, had to be paid in advance. Only by means of job-printing could he keep his barque afloat. That he had a good plant, for the times, and competent workmen, is proved by the high quality of the printing in successive editions of the Journals of the House of Assembly which came from his shop. These old folio Journals would shame the output of many a printing-plant of today—despite the march of invention and the development of that strange Twentieth Century product called the Art-printer. During 1826 Mackenzie was engaged in a paper quarrel with Hon. James Buchanan Macaulay. In answer to an article in *The Advocate,* Macaulay published a pamphlet keelhauling the Editor. Then in rejoinder Mackenzie produced an article which surpassed his average editorial production in vindictiveness and reckless violence and thoroughly angered the Government party. Meanwhile his creditors had become pressing and he withdrew temporarily from York to Lewiston while a composition was being made with them.

On June 8th, 1826, a gang of social Hotspurs in York went to the office of *The Colonial Advocate,* at Frederick and Front Streets, in the late afternoon, broke open the door, smashed the press, and gathering up the bulk of the type gaily cast it into the Bay. The office furniture was piled in a disorderly heap. Among those implicated in the affair were Charles and Raymond Bâby, Henry Sherwood, Mr. Lyons, secretary of the Lieutenant-Governor, Samuel Peters Jarvis, Charles Richardson, James King, Charles Heward and Peter Macdougall. A civil suit for damages was instituted against these persons by Mackenzie, and was tried before Chief Justice Campbell, supported by two magistrates, William Allan and Alexander Macdonell. Bidwell, Stuart and Small were counsel for the plaintiff, Macaulay and Hagerman appeared for the defendants. Mackenzie was awarded damages of £625 and the costs of the action. There is a rare pamphlet of 1826 signed by these young men attempting to justify their conduct, but it is a poor defence. The vexation of the official classes of York at Mackenzie and his "pestilent newspaper" was in no way modified by this victory in the Courts, particularly as the damages enabled him to clear himself of certain financial embarrassments and continue his work of agitation. The various inquiries at the Session of 1828 had been ardently supported by Mackenzie, and he had become a person of importance in the Reform Party; his triumph over the young bloods who had destroyed his press in 1826 had added to his popularity, and at the General Election of 1828 he was returned to the Assembly for the County of York. In the House for two Sessions he was an active and pertinacious Member, speak-

ing frequently with great freedom against the Administration and making himself utterly objectionable to the ruling faction.

According to the custom of the time the death of the King in 1830 necessitated a new election. It resulted in a distinct rebuke to the Radicals whose noisy opposition during the two previous Parliaments had excited the Conservatives to great activity in the campaign. Only Bidwell, Perry and Mackenzie of the strong Reform group were re-elected, and Archibald McLean of Stormont was chosen Speaker in Bidwell's room, by a majority of twelve. Mackenzie continued his former course in the House by moving for inquiries on various subjects and speaking to his motions without restraint. He had a bitter tongue and his contumelious references to the Government and its officials were deeply resented. An effort was made to expel him from the House because he had distributed the Journals of the Assembly amongst his electors, thereby technically violating the rules of Privilege. This failed, but in the Session of 1831 he was accused of libel and was expelled by a vote of 27 to 15. On January 2nd, 1832, Mackenzie was re-elected by his constituents of the Town of York. At first he was opposed by a man named Street, but after an hour-and-a-half of open voting the poll stood, Street 1, Mackenzie 119. Street withdrew and Mackenzie was elected by acclamation. At the same time he received a gold medal and chain as a recognition by his constituents of his work in the House.

Four days after the election Solicitor-General Hagerman quoted in the Assembly an article printed on the previous day by *The Colonial Advocate* and moved for Mackenzie's expulsion on the ground that again he had libelled Parliament. In his speech he complained that the Member for York had "cast a malignant and wicked glare across the House." The Members apparently were impressed by the accusation for they voted against Mackenzie by 27 to 19. This was on January 7th. On January 30th there was another bye-election, Mackenzie securing 628 votes and James E. Small, 96. The official party now declared that there had been no election and the seat was declared vacant.

The friends of the excluded member, under his inspiration began preparing an immense petition to the British Government, and public meetings were held in all parts of the Province to further the design. The meeting at Hamilton on March 19th terminated in a minor riot and Mackenzie did not escape without personal damage. On the 23rd there was a meeting at York which was the occasion of disturbances. The windows of *The Advocate* office were broken. As a result of these meetings Mackenzie was sent to England by Party friends to reinforce the petition. He remained in London for some months, conferring with Lord Goderich, the new Colonial Secretary and with prominent Radical politicians. Meanwhile the Tories of Upper Canada had procured many signatures to a counter-petition. Also in his absence Mackenzie was again expelled from the House of Assembly, and once more re-elected by acclamation. He did not return to Canada until August, 1833.

Mackenzie had not been long engaged in supervising the political state of the Province when a choice bit of favouritism in Court roused him to indignant protest. Judge Boulton strained Court etiquette to the breaking point in favour of Henry John Boulton, his son, the Solicitor-General. Mackenzie declared that the Legislature should request the Governor to dismiss from office "the whole Boulton race, root and branch." From that day onward a feud began which lasted for many years. As an instance of the manner in which private feelings coloured Mackenzie's public acts the case of the Welland Canal inquiries may be cited. In 1830 a Committee of the Legislature investigated the accounts of the Company and found "very little indeed to censure." Mackenzie was a member of this Committee and signed the Report. But he was not satisfied. Henry John Boulton had received large payments for legal and other services from the Canal Company's funds. Therefore Mackenzie had himself elected as a Director, representing the Legislature, and devoted himself to an exhaustive personal investigation of the books. In 1835 he made a series of charges, new and old, and another Parliamentary inquiry was held in 1836. Minor irregularities were revealed but the Committee recognized the difficulties under which the Company had laboured and was not disposed to be censorious; particularly in view of the success of the work and its comparatively moderate cost.

A despatch from Lord Goderich to the Lieutenant-Governor dated November 8th, 1832, dealt at length with complaints made by William Lyon Mackenzie while in England. The Noble Lord's references to Mackenzie himself, his manner of argument, and his strain of comment were distinctly of an acid nature. He wrote of the sarcasm "which might have been conveniently spared," of "rhetorical embellishments," of "redundant and misplaced details," of "invidious terms," of "unworthy imputations upon the character of so many upright and enlightened men," "attributable to the irritation of personal resentment." He pointed out first that the petitions presented by Mr. Mackenzie calling for the dissolution of the Legislature and other heroic measures were signed by 12,075 persons, while the signatures to counter-petitions numbered 26,854, and added: "Mr. Mackenzie indeed would have himself understood as speaking the sentiments of the entire population of Upper Canada, excepting a few public functionaries whose interests are opposed to those of the people at large. It is not necessary to have a very long experience of public controversies of this nature to be aware of the levity with which such pretensions are continually advanced upon the slightest and most inadequate ground."

Lord Goderich then mentioned the complaint that no provision had been made to pay "wages" to the Parliamentary representatives of the towns as well as of the counties, and that the Legislative Council had blocked an attempt to correct this inequality. He added, "I have no right to interfere with the deliberations of the Council, but I am able to signify to you His Majesty's pleasure that you should not oppose any objection to

any law which may be presented for your acceptance for placing the Town and the County Representatives on the same footing in this respect." Other extracts from the despatch follow, bearing in summary its general sense:

"The remark that various religious bodies are excluded from the franchise because their members cannot conscientiously take an oath raises a question which well deserves serious consideration. You will call upon the Law Officers of Upper Canada to report what is the Law on this subject. You will have the goodness to acquaint me whether you perceive any practical objections to placing the various denominations of Christians mentioned by Mr. Mackenzie on the same footing in this respect as the Society of Friends."

"If the law which disqualifies any British subjects from voting at elections till the expiration of seven years after their return from a residence in a foreign country be still in force, I subscribe to Mr. Mackenzie's opinion that it cannot be too soon repealed; and you will adopt all constitutional means in your power for promoting the repeal of it." This paragraph was followed by three distinct snubs to Mackenzie, delivered in the loftiest manner of a Georgian aristocrat. One is quoted: "I must entirely decline, as perfectly irrelevant to any practical question the enquiry whether at a comparatively remote period, prosecutions against the Editors of Newspapers were improperly instituted or not. It is needless to look beyond Mr. Mackenzie's journal to be convinced that there is no latitude which the most ardent lover of free discussion ever claimed for such writers which is not enjoyed with perfect impunity in Upper Canada."

"I have no solicitude for retaining either the Bishop (Macdonell) or the Archdeacon (Strachan) on the list of Councillors, but am on the contrary rather pre-disposed to the opinion that by resigning their seats they would best consult their own personal comfort and the success of their designs for the spiritual good of the people..... The office is held for life.... No consideration could induce me to advise His Majesty to degrade the Bishop or the Archdeacon from the stations they occupy except upon the most conclusive proof of misconduct. But even Mr. Mackenzie does not impute any violation of duty to them."

"Mr. Mackenzie has concluded by predictions of bloodshed and civil war, and a dissolution of the connection between Upper Canada and this Kingdom. But against gloomy prophecies of this nature every man conversant with public business must learn to fortify his mind. I will not adopt the injurious opinions which Mr. Mackenzie seems to entertain of the people of Upper Canada. I reject as a libel on that loyal and enlightened race of men, the supposition that they would violate their sworn fidelity to the King and desolate their native land with blood, because His Majesty defers to the judgment of His Faithful Commons in Provincial Parliament Assembled supported by large bodies of the most respectable and numerous petitioners, rather than to the opinions of a far less numerous, though probably a highly respectable portion of his subjects."

With respect to Mackenzie's demand for the dissolution of the Assembly, Lord Goderich was cold even to iciness.

The despatch by reason of its concurrence with some of Mackenzie's arguments was bitterly resented in both Houses of Parliament. The Address in reply, to the Lieutenant-Governor, by the Legislative Council

was so vigourous that one feels sure that it was drafted by Dr. Strachan. The Assembly's reply was less exhaustive, but scarcely less bitter. Christopher Hagerman and Henry John Boulton, the law officers of the Crown, were outspoken in hostility and later took an attitude contrary to their instructions with the consequence that they were promptly dismissed from office. Lord Goderich, in the letter of dismissal, admitted the right of these two officers to act upon what they deemed best for the interests of their constituents "but if upon questions of great political importance," it added, "they unfortunately differ in opinion from His Majesty's Government, it is obvious that they cannot continue to hold confidential situations in His Majesty's Service." *The Courier of Upper Canada,* published at York, and edited by George Gurnett, an ardent Tory, had already referred to the Goderich despatch as "an elegant piece of fiddle-faddle." Following the dismissal of Hagerman and Boulton it printed a savage attack upon the Colonial Secretary, calling him a "sapient Lordling," "a political imbecile," and sententiously remarking that "fools never learn wisdom." The most curious consequence of this whole controversy was the declaration by *The Courier* that the affections of the Loyalists were already "more than half alienated from the British Government and they already begin to cast about in their mind's eye for some new political state of existence." That is to say, the journalistic leaders of both Parties in Upper Canada had made public announcement that the British Government must do thus and so; or face the possibility of rebellion.

At the time of the dismissals Mr. Hagerman was in England and by reason of his representations to Mr. Stanley, the successor of Lord Goderich at the Colonial Office, was restored to favour and to office. Mr. Boulton's successor had been already named, Robert Sympson Jameson, the husband of a celebrated literary woman, Anna Murphy, the friend of Goethe's daughter and the author of a number of books on travel and art criticism. Her "Sketches" on Upper Canada is lively and interesting. The Colonial Office, in order to placate Boulton, offered him the office of Chief Justice of Newfoundland but his career in St. John's was marked by quarrels with the Governor and ended in his dismissal. He returned to Upper Canada in 1838.

Mackenzie presented himself at the Assembly in December, 1833, but the Clerk refused to administer the oath to him and the House resolved that he be excluded. A new election was ordered; again he was chosen by acclamation, and this time on his appearance at the House he was accompanied by a large crowd of constituents and sympathizers who filled the galleries and made audible comment of the proceedings on the floor. Mackenzie demanded the privilege of taking the oath, it was refused, and members and sympathizers alike were excluded from the House by the Sergeant-at-arms. Early in 1834 Mackenzie applied to the Lieutenant-Governor for permission to take the oath. The question was submitted to Attorney-General Jameson who decided that the law was on Mackenzie's

side, and on February 10th the Member for York was sworn in by the Clerk of the Executive Council. Again the House by a party vote refused to have his company and he was ejected by the Sergeant-at-arms—in plain violation of law.

On March 6th, 1834, the City of Toronto was incorporated. Owing to the public feeling in favour of Mackenzie and against the Government of the day, a majority of aldermen chosen were Reformers. Both Dr. John Rolph and Mackenzie were elected and to the surprise and distaste of Rolph, who immediately resigned from the Council, Mackenzie was chosen as Mayor—the first Mayor in Upper Canada. He was thoroughly efficient as a municipal officer, but as a journalist he was so indiscreet as to make public a letter from Joseph Hume, the English Radical leader, which expressed the hope that Canada would soon be freed from the "baneful domination of the Mother Country."

Since 1824 the Rev. Egerton Ryerson, Methodist minister, and son of Lieut.-Col. Joseph Ryerson of Norfolk, had been an active defender of the Methodists and other Dissenters, protesting as time and occasion would allow against the pretentious claims of Bishop Strachan and the Anglican body. He had proved himself a vigourous controversialist and when the Methodists established *The Christian Guardian* in 1829, Ryerson was chosen as Editor. For a number of years he had supported Mackenzie and the Radicals, but in 1833 he visited England and perceived the closeness of the relations between Joseph Hume and the Upper Canada Reformers. On his return he published a series of articles distinctly hostile towards Mackenzie and roused that Editor to indignant reprisals.

The letter from Hume to Mackenzie in March, 1834, was really an attack on Dr. Ryerson and the "baneful domination" paragraph was merely by way of introduction. "Your triumphant election on the 16th and ejection from the Assembly on the 17th must hasten that crisis which is fast approaching in the affairs of the Canadas and which will terminate in independence and freedom from the baneful domination of the Mother Country and the tyrannical conduct of a small and despicable faction in the Colony." Then followed two minor paragraphs. The letter continued: "I have lately seen with mingled feelings of pity and of contempt the attacks made by Mr. Ryerson against my public and private conduct and also against those who generally act with me. I candidly acknowledge that of all the renegades and apostates from public principle and private honour which during a long course of public life I have known, and with regret I say I have known many, I never knew a more worthless hypocrite or so base a man as Mr. Ryerson has proved himself to be. I feel pity for him for the sake of our common nature to think that such human depravity should exist in an enlightened society, and I fear that the pangs of a guilty and self-condemning conscience must make his venal and corrupt breast a second Hell, and ere long render his existence truly miserable..... There is not a word of truth in Mr. Ryerson's Satanic effusions....."

Imagine a Party Leader of these days speaking with such lack of restraint! Ryerson had clear vision and sound judgment. He had rightly appraised the Englishman as a man of second-rate mind (*) and the letter was a plain corroboration of his opinion. Now after ninety years the memory of Egerton Ryerson is held in honour while most people have no knowledge of the politician who abused him so heartily. It is not surprising that the Methodists turned from Mackenzie and his extremist friends after this letter appeared.

The General Election of 1834 brought comfort again to the Reformers. The County of York, now divided into four Ridings, returned Mackenzie, David Gibson of Willowdale, Dr. Thomas D. Morrison and John Mackintosh, all of the anti-Government party. Bidwell and Perry, W. B. Wells, Dr. Charles Duncombe, and Samuel Lount of Newmarket were in the House and again Bidwell was elected Speaker. On January 23rd, 1835, a Special Grievance Committee under the Chairmanship of Mackenzie was named and on April 10th its notable Seventh Report was presented to the House. The Report itself was temperate in tone and had all the more force on that account. It complained of the patronage exercised by the Crown, involving a sum for salaries and pensions of £50,000 a year. It made objection to the Post Office Department which made extravagant charges and was not responsible to the Provincial Parliament. It denounced the constitution and practices of the Legislative Council and asked for a responsible Government. The *pièces justificatifs* bound up with the Report included the evidence of a number of the witnesses, tables of salaries, land grants, pensions, Parliamentary returns of various sorts, the Goderich despatch, and other documents of uncommon interest. Dr. Strachan's evidence gave a vision of Tory balkiness which may be counted as unique. To many of the inquiries he returned, "I do not answer that question," to others, "I have not given the subject consideration." Two answers may be quoted, "Nobody would ask for the vote by ballot but from gross ignorance; it is the most corrupt way of using the franchise." "There should be in every country an Established Religion, otherwise it is not a Christian but an Infidel country."

The Report awakened the keenest interest in Great Britain, and Lord Glenelg, the Colonial Minister of the period communicated with Sir John Colborne suggesting reforms. The Governor was not disposed to yield, and he was recalled, though not in any hostile spirit. He had filled out his full term of six years, and was named Commander of the Forces in Lower Canada.

Sir Francis Bond Head became Lieutenant-Governor in 1836. There is reason to believe that the Government appointed him by mistake, intending to have named Sir Edmund Walker Head, who in later years served as Governor. That can be the only intelligent explanation, for Sir Francis had no experience in political affairs and was in every respect an intellectual light-weight with the full amount of assurance and self-confidence which

*O'Connell said: "Hume would be a good speaker if only he could finish a sentence before beginning the next but one before it."




SIR FRANCIS BOND HEAD

From the painting in the John Ross Robertson Collection

usually run in parallel with a minor intelligence. He reached Toronto on January 23rd, 1836.

The last important official act of Sir John Colborne was the creation and endowment from Clergy Reserves of forty-four rectories in various parts of the Province, each being placed in charge of a clergyman of the Church of England. An average of 385 acres was provided as endowment for each. Such an action had been contemplated by the home Government from the time of the establishment of the Province, and was given legal sanction in the Constitutional Act of 1791. But public opinion had not at any time been such that the definite allotment of the reserves to any Denomination might be attempted wisely. Various Colonial Ministers had given promises, almost akin to official pledges, that no steps would be taken for the disposal of the Reserves, unless the people approved. This action, therefore, which may have been according to law, was high-handed and unwise. It gave still another opportunity for violent disputation. "The Imperial Government," says Charles Lindsey in "The Clergy Reserves," "was besieged with petitions praying for the annulment of the rectories. The temper of the public mind became imbued with that sullenness which a sense of injury begets, and which forebodes the approach of civil commotion. It was the idea of violated Imperial faith; of a broken compact between the Sovereign and his Canadian subjects that constituted the sting of the injury. The people recurred to the promise of Lord Goderich that their wishes should be the Sovereign's guide in the matter, and regarded themselves as the victims of a deception which brought dishonour on the Crown and distrust on Imperial faith."

The facts of the case were not learned until the Spring of 1836, three or four months after Sir John Colborne's action, and the difficult position of Sir Francis Bond Head was made much worse in consequence. Every non-Anglican religious leader was vocal; every non-Tory newspaper was violent. Yet the legality of the Governor's action was declared to be sound by the English law-officers of the Crown and the British Government took no action to invalidate the grants. (*)

*The principal rectories established, with the clergy in charge, were as follows:
Grimsby, 400 acres, Rev. R. F. Grout.
Ancaster, 400 acres, Rev. John Miller.
Thornhill, 105 acres, Rev. Geo. Mortimer.
Woodhouse, 402 acres, Rev. Francis Evans.
Wellington Square, 400 acres, Rev. F. Mack.
Augusta, 450 acres, Rev. R. Blakey.
Cavan, 400 acres, Rev. Samuel Armour.
Hallowell, 400 acres, Rev. Wm. Macaulay.
Perth, 400 acres, Rev. Michael Harris.
Elizabethtown, 400 acres, Rev. W. H. Gunning.
Oxford, 450 acres, Rev. H. Patton.
Bertie, 400 acres, Rev. J. Anderson.
Peterborough, 420 acres (about), Rev. R. H. D'Oliver.
Woodstock, 400 acres, Rev. W. Bettridge.
St. John's, Yonge Street, 200 acres, Rev. Chas. Matthews.
Cobourg, 400 acres, Rev. A. N. Bethune.
Cornwall, 410 acres, Rev. Geo. Archbold.
Adelaide, 401 acres, Rev. Dominick E. Blake.
Etobicoke, 205 acres, Rev. T. Phillips, D.D
Warwick, 400 acres, Rev. John Ratcliffe.
Markham, 400 acres, Rev. V. P. Meyerhoffer.
Belleville, 418 acres, Rev. John Cochrane.
Bath, 400 acres, no incumbent.
Richmond, 400 acres, no incumbent.
London, 404 acres, Rev. Banjamin Cronyn, with a second church in the Township of London.
Amherstburg, 400 acres, Rev. Romain Rolph.
St. Catharines, 400 acres, Rev. Romain Rolph.
Thorold, 400 acres, Rev. James Clarke.
Louth, 300 acres, Rev. James Clarke.
Chippawa, 400 acres, Rev. Wm. Leeming.
Adolphustown, 164 acres, Rev. Job Deacon.
Fredericksburg, 250 acres, Rev. Job Deacon.
Clarke, 415 acres, (given by S. S. Wilmot), no incumbent.
Darlington, 400 acres, no incumbent.
Beckwich, 400 acres, Rev. Jonathan Short.
Niagara, 400 acres, Rev. Thos. Green.
Guelph ,no location assigned ,but 326 acres given to Rev. Arthur Palmer.
Kingston, 700 acres, the Archdeacon.
Barrie, 400 acres, no incumbent.
Port Hope, 436 acres, Rev. J. Coglan.
London, 375 acres, Rev. Benjamin Cronyn.
Woodstock, 29 acres within the town, Rev. Wm. Bettridge.

Lord Glenelg's instructions to Sir Francis Head which were of the nature of a confidential document followed the general line of the famous Despatch from Lord Goderich to Sir John Colborne; that is to say, the Governor was directed to satisfy some of the minor complaints, but no change was contemplated with respect to the Clergy Reserves or to the question of Governmental responsibility to the people. The Governor was directed to communicate the substance of his Instructions to Parliament; Head presented the entire document. At the beginning of the game he had spread his cards face-upwards on the table while Radicals, Moderate Reformers and Tories were free to play their games in secret. At this time the Executive Council was not complete, and Sir Francis determined to placate the Reformers by inviting Robert Baldwin to enter. He had sat for one Session, that of 1829, in the Assembly, and was recognized by all classes as a young man of great discretion and moderation. He was slow in giving his consent, and accepted office only after the Governor expressed his willingness to call Dr. Rolph and John H. Dunn, the Receiver-General, as well. After three weeks of office the Councillors discovered that they had no real part in the Government—that Sir Francis acted "with the advice and consent" of Chief Justice Robinson and Dr. Strachan. The Councillors, new and old, made a formal remonstrance to which the Governor replied in the sense that when he wanted their advice he would ask for it. The Executive promptly resigned and were replaced by Robert Baldwin Sullivan, John Elmsley, Augustus Baldwin and William Allan, all either Moderate or die-hard Tories. Augustus Baldwin was a brother of Dr. W. W. Baldwin but did not share his views on political affairs. He had been a naval officer and had the professional Tory outlook.

Of course the Reformers agitated and protested as much as in them lay. Public meetings were held and there was a deal of vituperative denunciation. A meeting of the citizens of Toronto passed an address of protest to the Governor. In reply Head declared that he would reply to this address with as much attention as if it had proceeded from either branch of the Legislature, but would express himself in plainer and more homely language. The phrase was tactless. Dr. Rolph and Father O'Grady of St. Paul's Parish, Toronto, drafted a rejoinder which in part was as follows: "We thank Your Excellency for replying to our address, principally from the industrial classes of the city, with as much attention as if it had proceeded from either branch of the Legislature, and we are duly sensible in receiving Your Excellency's reply of your great condescension in endeavouring to express yourself in plainer and more homely language, presumed by Your Excellence to be thereby brought down to the lower level of our plainer and more homely understanding." The House of Assembly passed a vote of want of confidence by 32 to 18 whereupon the Governor dissolved Parliament on May 28th, 1836, and set himself with his friends to manage the elections. The result was fully satisfactory to him, though the methods employed in the contest would not bear examina-

tion. Bidwell, Perry, Lount and Mackenzie were beaten, and the ragged remnant of the Reform Party in the House had only one man of eminence, Dr. Rolph who was elected for Norfolk. The new member for Toronto was William Henry Draper, a Conservative who was to have a long political career, and among other accessions to the Tory ranks were Allan Napier MacNab of Wentworth and Ogle R. Gowan of Leeds, a vigourous member of the Orange Order.

The feud between the Orange Order and the Reformers of Upper Canada was one of long standing. The early Orangemen, mostly natives of the North of Ireland, were used to striving against un-British and rebellious persons and parties. They had made loyalty a fetish and counted all criticism as sedition. Since the majority of the people of Southern Ireland were Roman Catholic and congenital foes of the Pale, the Orangemen made the unhappy generalization that all Roman Catholics in Ireland were fomenters of treason. Members of the Order coming to Canada found William Lyon Mackenzie declaiming against the King's Government, attacking veterans of American Loyalist families who had borne a great part in the defence of the Province against American aggression and criticizing the Church of England. They found him in correspondence with Joseph Hume who had argued in favour of the Catholic Emancipation Act of 1829, and who was a personage without merit in Orange eyes. They found him also on terms of hearty intimacy with a priest named O'Grady, who had plunged into a political activity which finally lost him the approval of Bishop Macdonell and resulted in the suspension of his ministry. It was not surprising that the Orangemen were Tories in Upper Canada as they had been in Ireland and busied themselves in breaking up Reform assemblies.

During the summer of 1837 Mackenzie and Samuel Lount were occupied in holding a series of meetings in North York and Simcoe. On June 30th at Lloydtown a resolution was passed to the effect that since constitutional action had failed it behooved every Reformer to arm himself in defence of his rights and those of his fellow-countrymen. Other meetings passed similar resolutions, reflecting rather the anger of the Reformers at the successful crookedness of Sir Francis Bond Head than a definite intent to arise in revolt. In Toronto meetings were held at Elliott's Tavern, and at John Doel's brewery on the corner of Bay and Adelaide streets. A declaration was drafted late in July once more recounting grievances and approving the methods of Papineau and his friends in Lower Canada. It is said to have been the joint product of Dr. Rolph and Father O'Grady. A large meeting at Doel's brewery on July 31st adopted the Declaration, recommended the holding of a party convention in Toronto, named Rolph, Bidwell, Dr. Morrison, James Lesslie and others as delegates, and appointed Mackenzie as Agent and Corresponding Secretary. From that time onward the Editor was an organizer of revolution, raging through the northern townships, and getting steady support on the platform from

Lount and David Gibson. Jesse Lloyd of Lloydtown was sent to Lower Canada as a liaison officer between Papineau and Mackenzie, and he, as well as the others named, knew that the ultimate result of this agitation was to be the establishment of a Provisional Government; whether by peaceful or violent means seemed to be a matter of indifference to them.

Bidwell had declined the honour thrust upon him at Doel's but Rolph seemed to be content, and the revolutionists cannot be blamed for believing that he was on their side. Meanwhile companies of Radicals were spending the autumn evenings at voluntary drill, and blacksmiths were forging pikes against the Great Day. The Governor and his chief advisers were contemptuous of the whole movement and were convinced that open revolt was unthinkable. All troops in Toronto were sent to Kingston where they would be more easily available in case of rebellion in Lower Canada. In the Toronto City Hall six thousand muskets and a quantity of ammunition were stored, with only two constables to guard them. On October 9th Jesse Lloyd reported that the followers of Papineau were ready for direct action and looked to the Reformers of Upper Canada to rise in revolt at the same time. Mackenzie consulted eleven of his Toronto associates at a meeting at Doel's, declared that four thousand men could be got together, and urged immediate action for the capture of Toronto. Dr. Morrison who was present denounced the scheme as treason and declared that he would not be entangled in it. No action was taken. The next day Mackenzie met Rolph, who had heard of the proposal through Dr. Morrison, and seems to have convinced him that a revolution could be easily effected. Those who have strained themselves to defend Rolph and to lay all blame upon Mackenzie for the futile rising have not explained why the Doctor did not impose his veto at this time. Any reasonable man—and even Mackenzie who was not always reasonable—would be justified in believing that Rolph was committed to the project and would go all the way. When Mackenzie returned to the townships to ascertain if his friends were ready for armed action, he used Morrison's and Rolph's names freely. For this he has been blamed—one thinks unjustly. He had special permission to say that if the people really desired to see a revolution, Rolph and Morrison would support them. He could not have been expected to believe that either of them would be content to allow others to accept all the danger while they stood in the background unsuspected, but ready to take whatever possible advantages might come to them in the future. When in after years Mackenzie said that he was betrayed, he spoke by the book.

The plan of Mackenzie was to march on Toronto, first assembling secretly at Montgomery's Tavern on Yonge Street, about three and a half miles north of the City, then to seize the arms in the City Hall, capture the Governor and Council and dictate terms of peace. The date fixed for the concentration and the capture of Toronto, was Thursday, December 7th. In the absence of Mackenzie in North York, Dr. Rolph heard some alarming rumours to the effect that all the plans of the rebels were known to

the Government. Accordingly he changed the date to Monday, December 4th, and sent word to Lount to have his men from the north at Montgomery's at that time. Mackenzie arrived at David Gibson's house, at Willowdale on December 3rd, and learned of the change in the arrangements, with dismay. He sent word to Lount to countermand the order, but too late. The men were on the march, plodding through the infinite mud of north Yonge Street, and tasting some of the miseries of campaigning. They arrived, about 90 strong, at Montgomery's at the time appointed. Mackenzie thought they should march immediately into the city, but Lount, Lloyd and Gibson protested, and the last opportunity of success faded away.

Mackenzie, Shepherd, Smith and Captain Anderson, formed themselves into a scouting party to go into the city and see whether or not any preparations were being made to resist the rebels. On the way they met Alderman John Powell, Archibald McDonald and two students mounted and took them prisoners, sending them to the rebel headquarters in charge of Anderson and Shepherd. Powell shot Anderson, eluded Shepherd and started back to the city, passing Mackenzie on the way. The rebel leader fired at him as he passed. Immediately Powell wheeled, put a pistol to Mackenzie's breast, and pulled the trigger. The weapon missed fire. A short time afterwards Powell appeared at Government House, splashed with mud, and bearing information full of matter.

Alderman Powell had gone scouting as a result of a story brought to him by a young man from Thornhill. Richard Frizzell, a young Loyalist of convivial habits, was at his father's house during December 4th, recovering from a social engagement of the previous evening. Lest he might go out again his mother had hidden his clothing. About nine o'clock in the evening, garbed in various cast-off garments which he had been able to find, he announced to the family that he must go to Toronto. He declared that he had seen armed men marching down Yonge Street to seize the city. As no other members of the family had seen or heard anything unusual, they thought Richard was mad. He insisted upon leaving the house, but as he turned north when reaching the gate, his relatives thought he was merely going to the tavern at Thornhill. His errand to the village was to procure a horse, but as he did not succeed he set out to walk to the city. All the way he was in touch with rebel bands, saw the concentration at Montgomery's Tavern, and heard that Colonel Moodie, who had attempted to warn the authorities, had been killed by Lount. Then striking across the fields he succeeded in reaching Toronto without being molested. Going straight to the City Hall he told his story to Alderman George Monro, and later to Mayor Gurnett, and the Lieutenant-Governor. Sir Francis refused to believe the tale, set a man to watch Frizzell's future movements, and went home to bed. But Alderman John Powell determined to see for himself. In company with Archibald McDonald, the wharfinger, he had ridden northward.

Within the City there was one man only of the Extreme Tories who had

read aright the signs of the times; the hero of the fight at Beaver Dams a quarter of a century before. Lieutenant-Colonel James Fitz Gibbon lived in a two-story rough-cast house on the southwest corner of Queen and Spadina and was one of the picturesque and striking figures of his day. Powerful, well over six feet tall, and wearing a long full beard, he would have been a man to remark, even if he had been content to wear his tall beaver hat on his head. His habit of wearing it on his cane, and permitting the wind to keep his head cool, perhaps will indicate his independence of thought. He had the respect of all classes of people, but almost no one would share his belief in the imminence of insurrection.

The warnings of the Colonel were continually flouted by Sir Francis Bond Head. In the autumn of 1837 the Governor refused to fill the vacancies in the officers' ranks of the first Regiment of Militia which Colonel Fitz Gibbon commanded. Within two weeks of the actual rising of Mackenzie and his friends the Colonel made out a list of 126 men of whose loyalty he was certain and carried it to the Governor, saying that he intended to warn each man to be in readiness to come armed to Parliament House on hearing the bell of Upper Canada College ring the alarm. He purposed also asking Mayor Gurnett to warn all Loyalists east of Yonge Street to rally to the City Hall upon the ringing of the alarm on the church bell. "For the doing of this," he said, "I desire to have Your Excellency's sanction, but permit me to tell Your Excellency that whether you give me leave or not, I mean to do it." Fitz Gibbon was so resolute that the Governor gave a reluctant consent, although he declared roundly that the Colonel's apprehensions were without foundation. The rebellion had begun before Fitz Gibbon had time to warn more than 50 of the 126 men on his list.

On Saturday, December 2nd, a man came to Colonel Fitz Gibbon at the office of the Adjutant-General, and in a private interview told him of what he had seen in the northern part of the County; blacksmiths busily engaged in forging pike-heads, carpenters making handles for them, and constant drilling by malcontents. Fitz Gibbon brought his informant to the Governor to tell his story, but still Head was unconvinced. Only William Allan was found to give credence to the tale. His support of Fitz Gibbon induced the Governor to permit the issue of a Militia General Order. This order was carried to the printer on the evening of December 4th, the date chosen by Dr. Rolph for the assembly at Montgomery's Tavern, and the date of Samuel Lount's arrival there with ninety men from Newmarket and the neighbourhood. Rumours of men marching on the city reached Toronto on Monday night. Fitz Gibbon had the College bell rung, and after some delay the church bell followed suit. Meantime he rode up Yonge Street as far as Rosedale Ravine in company with two students, Brock and Bellingham, to make a reconnaissance. The students insisted upon going farther, Fitz Gibbon gave consent, but reluctantly. Turning to ride back to the city he met John Powell and McDonald, the wharfinger, who

were making a reconnaissance on their own account, and urged them to overtake the young men. A few moments later all four were taken prisoner. How Powell escaped and roused the town has already been related.

By sunrise on Tuesday some five or six hundred men were assembled in the Marketplace. Dr. Egerton Ryerson, in his Autobiography, pictures the scene: "We saw the Lieutenant-Governor in his every-day suit, with one double-barreled gun in his hand and another leaning against his breast, and a brace of pistols in his leathern belt. Also Chief Justice Robinson, Judges Macaulay, Jones and McLean, the Attorney-General and the Solicitor-General, with their muskets, cartridge boxes, and bayonets, all standing in the ranks as private soldiers, under the command of Colonel Fitz Gibbon." On December 5th the Governor sent a flag of truce to ask what the insurgents wanted. "Independence and a Convention," said Mackenzie, "and a decision within one hour." The curious thing about this parley is that Dr. Rolph appeared as the mediator on the Governor's behalf. Fitz Gibbon reconnoitred the position at Montgomery's, perceived that a prompt attack would disperse the rebels, and sought permission to take 300 men and one six-pound gun and make the trial. Sir Francis refused, being resolved, evidently, to continue his folly to the last hour of act. He even protested against the posting of a picket under Sheriff Jarvis at the toll-gate, (at the n.e. corner of Bloor and Yonge Streets) but Fitz Gibbon took the responsibility, and there the first skirmish took place, the rebels falling back to their headquarters in consequence. Meantime Colonel MacNab arrived from Hamilton with 60 men and all day Wednesday militiamen from other parts of the Province were arriving, providing an immediate problem for the commissariat.

On Wednesday Dr. Horne's house on upper Yonge Street was burned by the insurgents, and a scouting party set the Don bridge on fire. On that day Marshall Spring Bidwell was summoned to Government House. Sir Francis Bond Head showed him a packet of letters addressed to him, but still unopened, and suggested that if he would undertake to leave the country forever he could have the letters. If not, they would be opened, perhaps to his disadvantage. Although Bidwell had not been implicated in the organization of the Rebellion, he was a strong Reformer, and it is possible that his correspondence might have entangled some of his friends. He accepted the Governor's offer and left the country. On the next morning, before the Loyalists set out for Montgomery's Dr. Rolph realized his equivocal position as an organizer of the insurrection and as the spokesman of the Lieutenant-Governor, and departed for the United States. The vacillation of the Lieutenant-Governor was at last overcome and permission to attack the rebels was granted. Then arose the question of leadership. Sir Francis at first favoured Colonel MacNab, but Colonel Fitz Gibbon insisted upon his rights, and the two officers visited the Governor in his bed room for a decision. Fitz Gibbon received the appointment. The alarm and excitement among the supporters of the Government at the

rumours of marching men was not surprising when it is remembered that Mackenzie had many partisans within the City of Toronto. Scores of the better class people were in sympathy with the movement for reform; such men as Dr. Baldwin and his son Robert realized that there was infinite room for improvement in the Government of the Province. Probably in the City there were thousands who did not perceive the vast difference between constitutional agitation and organized rebellion, and continued their support of Mackenzie after the Moderates had deserted him. Then as now the City contained the usual proportion of Adullumites—men who lived in Toronto and hung loose upon society. It is probable that "everyone that was in distress, and every one that was in debt, and every one that was discontented" would have gathered themselves under Mackenzie and made him a captain over them. If, therefore, the direct-action men assembling at Eglinton had been able to seize the City and cow the supporters of the Government, they would have been immediately reinforced so largely that the rebellion might have been a success. The citizens were awaiting the outcome. Seven hundred Loyalists standing armed in a City of 10,000 people, overawed the restless element.

The Loyalists were drawn up in three columns. Colonel Chisholm, with Judge McLean, was in charge of the left wing which marched up College Avenue and was the first to come in touch with the rebels. Colonel MacNab commanded the centre, which went north by way of Yonge Street, and Colonel Samuel Jarvis led the right wing. Two guns of small calibre were in charge of Major Carfrae. The force got in motion at noon of Thursday, December 7th, and by one o'clock were in sight of the insurgents, clustered on the rise known as Gallows Hill. They were insufficiently armed, undisciplined, and showed that lack of morale which comes from being on the wrong side of the law. Mackenzie led the best of his followers into a fringe of woods to the west of Yonge Street, but though they tried to make a stand the fight was a hopeless one and the rebels were soon scattered. Montgomery's Tavern and Gibson's house at Willowdale were burned by order of the Lieutenant-Governor, an action that has no sound defence.

The triumph at Toronto of a well-armed body of militiamen, capably led, over one of hungry men with pikes and an occasional musket was to be expected. There was no need to sully it by acts of revenge, conceived in weakness and carried out against the protest of experienced soldiers. The burning of David Gibson's house at the specific order of Sir Francis Bond Head is a complete revelation of that alleged statesman's character. "Many are the afflictions of the righteous." Governor Head might be counted among the prime afflictions of our grandfathers who were weaving the fabric of freedom in this Province of Ontario. On the morning of the fight Peter Mathews, one of the rebel leaders, had been detached with some two hundred men to harass the guard at the Don bridge. When word came that the main body of the insurgents had been beaten at Gallows Hill,

Mathews and his party marched east some four miles along the Kingston Road and then scattered, to work their way back towards Yonge Street. Mathews found shelter at John Milne's house. A neighbour named Johnston saw that strangers were at Milne's. Immediately he raised a crowd of his Tory friends, brought Mathews out of the house and took him to Toronto, getting the reward offered for his capture as one of the ringleaders. Samuel Lount and some of his followers went west from Yonge Street before they scattered. Lount reached Galt and was aided by friends to the shore of Lake Erie. He attempted to cross the lake but his boat was driven ashore by floating pieces of ice. He was captured not far from Fort Erie, delivered to the keeping of Colonel MacNab and sent to Toronto in chains.

Dr. Charles Duncombe of Burford Township had been effective in Parliament as a member of the Reform party. He was a man of ability and education, a practised and convincing speaker, and with such personal charm that his acquaintances were soon converted into friends. In Brant, Oxford and Norfolk his popularity was great, and his course in Parliament tended to increase it, for the majority of the settlers found little to praise and much to condemn in the course of the Government of the day. There as in other parts of the Province the Reformers were of two varieties, Moderates and Extremists; except amongst the latter no one believed that Mackenzie and his partisans would go the length of actual rebellion. Dr. Duncombe himself was bitterly disappointed at the outcome of a journey he had made to England in 1836 to lay a complaint against Sir Francis Bond Head and his electoral activities. The Colonial Secretary sent the charges to the Lieutenant-Governor with a request for an explanation; they were submitted to a Committee of the Legislature, and the Lieutenant-Governor was exculpated. Thus the Burford Doctor was in a mood to listen when Mackenzie revealed his plan of operations and asked him to accept the leadership of the Western Reformers.

Late in November some three hundred men assembled near the village of Scotland, with a sort of nebulous plan to march to Brantford and Hamilton and hold these towns for the Provisional Government that Mackenzie was expected to set up. Moderate Liberals held aloof and Tories kept the Government informed as to the course of events, so that as soon as Mackenzie's force was scattered, Col Allan MacNab with five hundred men was sent to Burford. On their arrival at the village of Bishopsgate the officers were entertained by Col. Charles Perley while the men were billeted upon the settlers. No rebel force was found. Duncombe having heard of the fiasco at Toronto dispersed his followers and with several of his subordinates sought and found refuge in the United States.

Mackenzie's story of his own escape, as found in the "Life" by Charles Lindsey, is a brilliant piece of writing which ought to be better known. Having reached Buffalo the rebel leader became acquainted with Thomas Jefferson Sutherland and Rensellaer Van Rensellaer, two men of Anglophobe temper and filibustering inclinations, who sought volunteers to

deliver Upper Canada from under the paw of the British lion. They established themselves on Navy Island, to prepare for an invasion and sent word to Dr. Duncombe to expect them. On December 13th a Provisional Government was set up, there being 24 volunteers and two incompatible leaders. Meanwhile Colonel MacNab was on the Canadian side with a dependable force, throwing an occasional cannon-shot across the river, and making invasion impossible.

Word came to MacNab that the rebels or "pirates" as he was pleased to call them, had bought the steamer *Caroline,* then lying at her American wharf opposite Navy Island. The steamer measured only 46 tons and (aside from American adventurers) her crew consisted of two men and a black boy. Captain Drew, of the Royal Navy, acting with the approval of Colonel MacNab, determined to cut out the *Caroline.* On December 29th one hour after midnight, he crossed the river with seven boats and sixty-three men, captured the steamer after a swift fight, set her on fire, towed her into the river, and then set her adrift. Down the rapid stream she floated and plunged over the Falls. There was an outburst of indignation in the United States over this invasion of a friendly country. It was intensified by the prompt action of the British Government in conferring a knighthood upon Colonel MacNab. The Upper Canada Assembly tendered the thanks of the Province to the men engaged in the *Caroline* affair and voted money for swords of honour to be presented to Sir Allan MacNab and Captain Drew. For a time there was real danger of war, but the United States had been too free in permitting the open engagement of volunteers for Van Rensellaer's filibustering party, and the controversy died down. The jail at Toronto was full, for the Loyalists were not in good temper. Many innocent persons were imprisoned, despite the Governor's talks about clemency.

Lount and Mathews were arraigned before the Court of Queen's Bench on Monday, March 26th, 1838, on a charge of High Treason. Both pleaded guilty and were remanded until the 29th for sentence. On that day they were brought before Chief Justice Robinson who delivered a long address to the prisoners before pronouncing the death sentence. Some extracts from the address here follow: "It was open to you, if you were discontented with the Government that protected you, to sell your possessions here and transfer yourselves to any other country whose laws and institutions you liked better than your own. That you could have done without violation of your oaths of allegiance and without loading your consciences with crime You might, perhaps, have found after making the experiment, that you had gained nothing by the change, but you would have incurred no guilt by the attempt."

"Instead of being thankful to a kind Providence which had cast your lot in this free and prosperous country, you have, I fear, too long and unreservedly indulged in a feeling of envy and hatred towards your rulers,

which was sure to undermine every just and generous sentiment and to lead in the end to the ruin of your happiness and peace. It is one of the miserable consequences of the abuse of liberty that a licentious press is permitted to poison the public mind with the most absurd and wicked misrepresentation which the ill-disposed, without enquiry, receive and act upon as truths. It is, to be sure, in the power of the laws to restrain this evil to a certain extent, or at least, they may attempt to do so, but such is the perverseness of a great portion of mankind that, whenever it is endeavoured to exert this power, the attempt is felt and resented as an infringement upon liberty. The viper, unhappily, is cherished in the bosom, till, as in your case, it gives the deadly sting, and then it is acknowledged when it is too late, that it would have been mercy not to have spared so long."

The whole tone of the address of the Chief Justice on this occasion reflects the view of the ruling class of that period, namely: that there were no grievances under which the inhabitants were suffering, that the Government and the administration of it were without flaw or blemish, and that anyone who complained was necessarily either ignorant or malicious. That this view was erroneous everyone knows today, but the first administrator to perceive the error was Lord Durham. It is not surprising that his report, now regarded as the corner-stone of British Colonial liberty, was received by the Family Compact with surprise and indignation.

On March 23rd, 1838, Sir George Arthur arrived in Toronto to succeed Sir Francis Bond Head as Lieutenant-Governor. He soon intimated that no severe measures would be taken in reprisal for the activities of the rebels. But two weeks later, on April 12th, 1838, Lount and Mathews walked out of the jail to die. Despite the pleadings of Mrs. Lount, despite the presenting of a petition of mercy, signed by 8,000 persons, despite the warning of Lord Glenelg, Colonial Minister, against undue severity, Sir George Arthur declined to stay executions. The scaffold was erected before the jail near the corner of the present Toronto and Court Streets, for the day of privacy in hangings had not yet come. The prisoners mounted the steps without a tremour and died as brave men, Rev. James Richardson, the naval veteran of 1812, reciting the final prayer, and the Sheriff and Deputy Sheriff with drawn swords standing beside the offenders. In the Necropolis is a granite shaft bearing the following inscription:

"Samuel Lount was the eldest son of the late Gabriel Lount, an Englishman, who emigrated to Pennsylvania in the middle of the Eighteenth Century, and of Philadelphia Hughes, his wife, a Quakeress. He emigrated to Upper Canada and settled near Newmarket in 1811. In 1834 he represented the County of Simcoe in the Upper Canada Legislature, and served for two years. In 1836 he became a candidate again and was defeated by corrupt practises used by his political opponents. A petition of 8,000 people asked for a reprieve which was refused. He lived a patriot and died for popular rights.

"Peter Mathews was the son of Peter Mathews, Sr., a United Empire Loyalist, who fought on the British side in the Revolutionary War, and at its close settled with his wife and family in the townsite of Pickering, in the (then) County of York. Peter Mathews, the son, belonged to Brock's volunteers during the war of 1812 to 1815 and fought in various battles in Upper Canada of that war. He was known and respected as an honest and prosperous farmer, always ready to do his duty to his country, and died as he lived, a patriot."

At least two other prisoners were sentenced to the gallows: John Anderson and John Montgomery. Anderson made no protest at the sentence, but Montgomery said to the Court: "You think you can send me to the gallows, but I tell you that when you are all frizzling with the Devil, I shall be keeping tavern on Yonge Street." The punishment was commuted to transportation and the two men were kept in jail until June 8th when they were sent with others to Fort Henry, near Kingston. In this party were Wilson Reed, ———— Kennedy, Thomas Tracy, John Stewart, Leonard Watson, John G. Parker, Stockdale Morden, Brophy Marr, Michael Shepherd and Thomas Shepherd. They dug through the stone wall of the prison and escaped, and all but Watson and Parker succeeded in reaching the American side of the St. Lawrence. In course of time, when the rebellion had been officially forgotten, Montgomery returned to Toronto, and, as he had promised, opened a tavern on Yonge Street.

Among the friends of Mackenzie who were arrested was Dr. Morrison. He was tried on a charge of high treason on April 5th, 1838, Robert Baldwin being his counsel. He established an alibi and was acquitted. Many who were thrown into jail on suspicion were released without a trial and soon normal conditions were restored. While the administration did not press charges against minor figures in the insurrection, some district leaders were sent into exile, and an effort was made to secure the extradition of Mackenzie. Naturally, the Governor of New York declined to surrender a political offender and gave no credit to the official charge that he had been guilty of other crimes.

During the year following the Rebellion sporadic filibustering occurred along the border. "Hunters' Lodges" were established in American cities, composed of ardent Anglophobes, and various overt acts were planned and executed—against the neutrality of the United States.

On the Detroit River frontier Mackenzie had a number of truculent admirers who had formed an alliance with anti-British elements on the other shore. News of the failure of the projected Rebellion sent the Canadian Radicals across the River where after the manner of Mackenzie they began to plot with their American friends. Thomas Jefferson Sutherland was sent from Navy Island to Cleveland to organize an attack upon Upper Canada. He secured two hundred recruits and proceeded to Gibraltar, in Michigan, at the mouth of the Detroit River, with the object of attacking Amherstburg where a small militia force under Colonel John

Prince was established. He found at Gibraltar a self-constituted General, Henry S. Handy, of Illinois, who had assembled a company of adventurers and a considerable quantity of arms and ammunition. He had several scows, and a schooner, the *Anne,* which was armed with cannon and muskets from the State arsenal of Michigan. Although Governor Mason of Michigan disclaimed any desire to offend his Canadian neighbours he did not take any action against the rebel sympathizers until after representations had been made to him by Colonel Prince. Then he marched a force towards Gibraltar, and the "army" took to the river in their boats. Sutherland, as the representative of the Buffalo filibusters, superseded Handy and Edward A. Theller, an Irishman, was given the command of the *Anne.* On January 8th, 1838, Theller made a demonstration against Amherstburg, damaging some of the houses with his cannon, but doing no material damage to the militia. A few volleys of musketry compelled him to haul off and drop down the River. On the next day he returned but by clumsy manoeuvring ran the schooner aground. The militiamen waded out and captured the vessel and her crew, together with three cannon, two hundred muskets and a quantity of ammunition. The prisoners were sent to Toronto; Theller finally found his way as a prisoner to the citadel at Quebec. Escaping thence he reached the United States and wrote a curious book recording his experiences, real and imaginary. Sutherland and his land force had been established upon Bois Blanc Island, ready for a descent upon Amherstburg when Theller had cleared the way. The loss of the *Anne* sent him and his force to Sugar Island. His followers melted away and ultimately Sutherland was arrested while on a visit to the Canadian side and was sent to Toronto; later, to Quebec. Ultimately he was released on an order from England, and returned to the United States.

On February 25th Donald McLeod, a Radical refugee, who had been a school-teacher at Brockville before the Rebellion, seized Fighting Island, with a company of followers, as a preliminary to the capture of Sandwich. A steady fire of musketry from militiamen on the Canadian shore sent the adventurers back to Michigan where they were disarmed by American troops. A few days later a body of 500 men from Sandusky, Ohio, invaded Pelee Island, made prisoners of the inhabitants and seized their property. A force of militia and regulars of the 32nd Regiment under Col. John Maitland, set out from Amherstburg on March 3rd, reached the Island by marching over the ice from Point Pelee and engaged the invaders. Thirteen of them were killed and forty wounded, the rest were glad enough to return to the Ohio shore. The British had two killed and 28 wounded. Several of the wounded died in hospital at Amherstburg.

Early in December, 1838, some hundreds of men crossed from Detroit on the steamer *Champlain* and landed near Windsor. After setting on fire several buildings in the village and the steamer *Thames* which was tied up at the wharf the invaders set out for Sandwich, committing several acts of vandalism on the way, and murdering four men whom they chanced to

meet. One of them was Dr. Hume, an army surgeon. Col. Prince at Sandwich, being roused by the firing up the River, hastily got together about 170 militiamen, and set out to meet the enemy. The advancing detachment of rebels and unquiet Americans was no match for Col. Prince and his little force either in discipline or in energy. There was a fight in an orchard, now within the boundaries of the City of Windsor. Twenty-one invaders were killed and over thirty taken prisoner. A few escaped to the woods, and the remainder succeeded in re-crossing the river. Col. Prince who had initiative and courage in the face of an emergency wreaked vengeance for the four men killed by shooting four of the prisoners out of hand. While there was much frothing at the mouth on the American side over the action of Col. Prince, his popularity was increased at home, for people had grown weary of this incessant robbery and piracy in the name of politics. Prince's official report of the skirmish said that the four were "shot accordingly." For years afterwards the Colonel was called by his enemies "Shot-accordingly Prince."

On November 11th, 1838, the steamer *United States* left Oswego on her usual trip to the St. Lawrence River ports, but the occasion was unusual. One hundred and fifty passengers were on board—all men—and their personal "baggage" consisted of boxes and kegs of arms and ammunition. At Sackett's Harbour more passengers of the same sort came aboard, and at the lower end of Long Island two schooners, each named *Charlotte,* were taken in tow. The commander of one of them was the redoubtable Bill Johnston, the "pirate of the Thousand Islands;" of the other, a Polish republican named Niles Gustaf Schobtewiski Von Shoultz. The official commander of the expedition was John Ward Birge, but the real enthusiast was Von Shoultz. The total force approached six hundred men.

At Ogdensburg the two schooners cast loose, one sailed across the River towards Prescott, but on reaching the wharf the crew perceived that hostile preparations were being made. In consequence the vessel dropped down the River to the point where stood a circular stone windmill. Here the men landed and threw up entrenchments having the mill as their fortress. The second schooner had run aground off the south shore. The *United States,* now in the possession of the invaders, went to her aid, but was hampered by the activity of a small British armed steamer, the *Experiment.* At last the schooner was released by another steamer called the *Paul Pry,* and large reinforcements were landed near the windmill. These events took place on November 12th. On the 16th a body of troops with field artillery arrived at Prescott from Kingston. At a range of 400 yards the guns opened on the windmill and made short work of the invaders' valour. A white flag was hung out and 160 men were taken prisoner. At least twenty were killed in the action, and a number escaped to the American shore in small boats. The British loss was 16 killed and sixty wounded. Von Shoultz was among the prisoners; he was tried by court martial at Kingston and was hanged on December 8th. Nine of his

companions shared his fate. President Van Buren and the Washington Executive were roused to activity by this Prescott affair. Col. Worth with a dependable force was sent to Ogdensburg with large powers and a series of arrests proved to the would-be warriors along the frontiers that their game was at an end.

In March, 1838, Sir Francis Bond Head was in New York *en route* to England. Marshall Spring Bidwell called upon him at the City Hotel and was received with apparent cordiality. The conversation naturally was upon Canadian affairs. After a reasonable time Bidwell rose to go, but was pressed to remain, Sir Francis saying that he had something of importance to communicate. The record of what followed was made by Mr. Bidwell and was first printed in a letter by Rev. Egerton Ryerson in *The Upper Canada Herald* of Kingston. "Sir Francis Head then said that in order to avoid the appearance of double-dealing he thought it right to tell me what had occurred between Her Majesty's Government and him about me; that he had been required by Lord Glenelg to appoint me a Judge, and to restore Mr. Ridout, and that he refused to do this, which led to his resignation. I replied that I had not called upon him to enter into explanations, but as a proof that I entertained no vindictive feelings, and was disposed, notwithstanding my conviction of the injustice I had received at his hands, to treat him with the respect due to the station which he had filled; but as he had introduced the subject, candour and justice to myself required me to say that after I had resided nearly twenty-six years in Upper Canada and had during all that time been a peaceable and obedient subject, and had borne, as he had admitted, an irreproachable and exemplary character, to take advantage of an occasion when I could not exercise any choice, to compel me suddenly to leave a country in which I had formed all my attachments, connexions and habits—where alone I had a home, or property, or a profession—was exceedingly arbitrary, unjust and cruel, involving as it might and probably would the ruin of myself and family. He replied, it was one of the consequences of the Rebellion, and he regretted it. I said *No*—it was *his* act not that of the rebels. I could not blame them for it; but I would not pursue the subject, as I did not wish to say anything disagreeable to him." With this Mr. Bidwell took his leave.

The exiled Reformer remained in the United States and obtained a high place in the affections of his associates of the New York Bar. More than once he was urged to return to Canada—once by Sir John A. Macdonald, who told Dr. Ryerson that he had always loved Mr. Bidwell and did not believe that he had had any connection whatever with the Rebellion.

J. C. Dent's Story of the Upper Canadian Rebellion was published in 1885 and its appearance was the occasion of a bitter and continued controversy. Apparently the author set out to prove to the Liberal Party that the real Father of Reform was Dr. John Rolph while Mackenzie was a mere notoriety hunter able to command the support of the "lower orders" of the population, but far surpassed in ability, sincerity and general merit

by Rolph and Bidwell. The newspaper reviews of the book were strong and direct; Mr. Dent was accused of unfair treatment of the facts. Then Dr. John King, Mackenzie's son-in-law, published a pamphlet entitled "The Other Side of the Story" which damaged materially the Dent thesis but did not answer fully the accusations against Mackenzie. In a sense the King pamphlet had the same demerits as Dent's book. It was a biassed statement. Now that the coals of this controversy have died into ashes perhaps one may be permitted without offence to express an opinion.

Of all the spiritual qualities courage is the one that has the most to do in the making of a political leader. William Lyon Mackenzie had more courage in his little finger than Rolph, Bidwell and the Baldwins together could muster. Besides being a brave man he was a sincere man, and this fact was recognized by the people at large. The suggestion that he was popular only with the "lower orders" seems to have been a rather offensive bit of snobbery on the part of Mr. Dent. The Liberal creed does not separate the people into classes or social strata; it assumes that the object of Government is to spread liberty and well-being over the whole community. Theoretically therefore Liberalism is better pleased to satisfy four ignorant and illiterate persons than one polished Intellectual. The people of 1837 knew that Mackenzie was honest and courageous and recognized the leadership which the possession of those qualities conferred upon him.

That his judgment was unsound cannot be doubted. Like many other politicians he assumed that Logic was supreme in the government of men; therefore he argued himself into the belief that the difference between Opposition and Treason was one only of degree. The people knew better. In some inarticulate way they realized that when Logic meets Sentiment, Sentiment wins. Dr. Egerton Ryerson was a friend and supporter of Mackenzie until he perceived that the end of his argument was violence. Then he publicly withdrew himself from the association, for he also was a courageous man and did not fear the violence of criticism. It was open to Rolph to take a similar course, for he was fully as acute as Ryerson and must have perceived the trend of the agitation. But Rolph took the unsatisfactory middle course. He was not a Loyalist and he was not a rebel. He had not the courage to break with Mackenzie and when the issue came to a point all his high qualities of intellect crumbled before the Fear of being Hanged. Rolph and Bidwell did not discourage Mackenzie in time. The one enjoyed a questionable neutrality; the other took part in the preliminaries of the Rebellion but paused fearful, when the men of North York were in arms. The two crossed the border conveniently and were content to leave Mackenzie to ford icy rivers, to lie in straw-stacks and to dodge in this hole and that like a hunted rabbit. Is it surprising that Mackenzie had vigourous opinions concerning the fair-weather friendship of John Rolph and the polished timidity of Marshall Spring Bidwell?

No one can justify the actions of Mackenzie while he was in the United States. His coarse abuse of better men serving in the Government of

Canada and his willingness to encourage filibustering expeditions against peaceable Canadians have no redeeming feature. He was an angry man and a revengeful man. The Mackenzie of 1828 to 1835 might well be considered as one of the Fathers of Reform for despite his acrid pen and his injurious tongue his public activities were useful and necessary. But the Mackenzie of 1837 and immediately after was a personage distinctly below par, discreditable and unworthy of praise either by his contemporaries or his political successors.

## CHAPTER XI.

### TALBOT LANDS AFTER THE WAR

*By Fred Landon, M. A.*

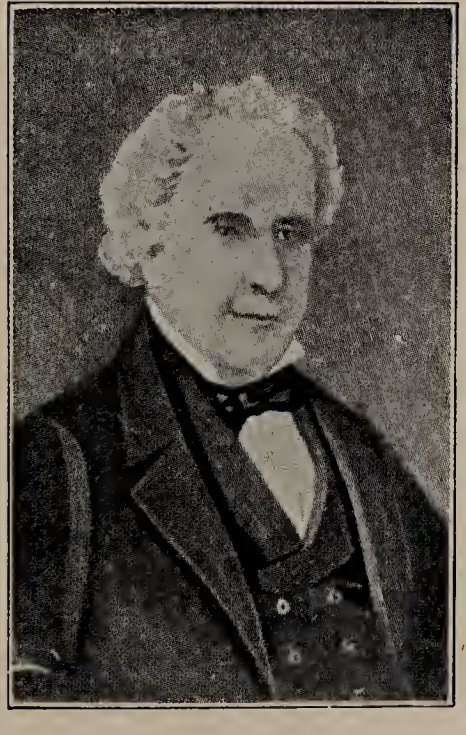
The close of the war with the United States found the settlement established by Colonel Talbot practically ruined. The district had been overrun by marauding forces and in the three years of struggle mills and other buildings had been destroyed, population scattered, and the progress of the preceding years seriously affected. During 1814 there were successive raids in southwestern Ontario in which the Talbot settlement was more than once one of the objectives. In August of 1814 Colonel Talbot himself narrowly escaped capture when a party dressed as Indians descended upon the settlement. It was on the occasion of this raid that Colonel Mahlon Burwell, the surveyor, was taken prisoner and sent away, although when taken he was seriously ill. He was in captivity some months before release came.

In September there was another raid which resulted in heavy loss through the destruction of grist and saw-mills, houses and barns and cattle. Along the Talbot Road a considerable amount of plundering took place. In this, as in other raids, Andrew Westbrooke appears to have been a leader. He had been a resident of Delaware before the opening of the war but was soon found in the enemy's service when the hostilities began. His knowledge of the country made him a dangerous foe and in August of 1814, before his raid on the Talbot settlement, he had penetrated as far east as Oxford capturing several military officers and placing many others under parole. An attempt to ambush this party on its return proved rather a tragedy as the bullets that were intended for Westbrooke and his companions caused the death of Captain Carroll, of Oxford, who was a prisoner and who is said to have been mounted upon Westbrooke's horse which, being white, was conspicuous. Westbrooke, like several other former residents of Canada who were enemies during the war, survived the struggle and after the war he was apparently rewarded. McKenney, in his "Tour to the Lakes," speaks of finding him located on lands granted to him near Fort Gratiot. McKenney describes him as a large, red-haired, rough-featured man who had been a noted partisan during the war.

The last, and perhaps the most bitterly resented raid, came in November when McArthur's Kentuckians swept down on the district. This band, after crossing the St. Clair River, moved east as far as the Grand River. The swollen waters of the river and the presence of a defending force checked the plans to go farther to the east and the force turned aside with the evident intention of destroying mills on the Grand River and in the Long Point settlement and then returning to American territory by whichever route, Fort Erie or Talbot Street, might proye the more advantageous. The route



COL. JOHN GRAVES SIMCOE
FIRST GOVERNOR OF UPPER CANADA



COLONEL THOS. TALBOT

of retreat was Talbot Street and, as in former raids, there was much destruction of property including the crops and livestock belonging to Daniel Rapelje, then living on what is now part of the site of the city of St. Thomas. McArthur, in reporting to the United States Government on his exploits, mentions the destruction of five valuable mills.

With the return of peace scattered families found their way back to former homes in the Long Point and Talbot settlements and almost at once there came an influx of new settlers, anxious to take up land and better their condition. Immigration was forbidden from the United States but some people of British stock who had been living in the States moved into Canada, locating in Dunwich and Aldborough. From Selkirk's settlement on the Red River there came also a few families who were dissatisfied with conditions there, but the most noteworthy addition came after 1819 in large numbers of Argyleshire Highlanders who took up land, first in Aldborough and then in other townships throughout the district. Many located in the township of Lobo, now a part of Middlesex county, and the graveyards of that township show Argyleshire as the place of origin of the majority of the pioneers there buried.

Until mills could be built and the ravages of the war repaired, the lot of the newcomers was even harder than that of Talbot's early settlers. For those who came before 1812 Talbot had provided some material assistance out of his own resources but the newcomers after 1815, some of them almost destitute, made heavy demands upon his more restricted resources. Prices fell after the war and many felt the pinch of hard times. Some idea of the hardships and privations of the time may be had from a letter written by Singleton Gardiner, a settler in Dunwich, to his brother-in-law, Henry Coyne. The letter, which is now in the possession of Dr. James H. Coyne, of St. Thomas, is as follows:

Buffalo, October 27th, 1816.

Dear Brother,—

I arrived here yesterday after 10 days passage from Port Talbot, a place I never would again see were it not for my family; but I was obliged to come here for flour, and I am afraid I will not get what I want. I got one barrel and had to give $12 for it, but when done it is much cheaper than I can get it at Port Talbot. Just before I left home I had 104 lbs., which cost me $16, viz. I had 4½ bushels of wheat cost $9, and a hired man at $12 per month was 7 days to mill to have it ground, so the expense in all was $16. So you may judge what a comfortable place I am in. No, it is the hardest place I ever saw to get the necessaries of life, and I believe, according to the number of inhabitants, they have suffered more for the want of bread, than any other place I ever saw or heard of. Many persons here, I believe, have not tasted bread for 2 months; for they have not the grain, and if they had, they could not have it ground.

I have bargained for 100 acres of land off Colonel Talbot at 3 Dollars per acre, and have got a log house 24 by 16 feet not half finished, and it has cost me about $200; for we cannot get a board without fetching them 130 miles, and no stone nor brick to build chimneys, nothing but clay.

All the money I got for my place would not build such a house as I had in P. Talbot. But God only knows whether I will get home or not for

the lake is so dangerous at this season of the year, that I dread the journey of going 150 miles in an open boat. It is a great undertaking, but I must either do it or my family suffer for want of bread, which they have never done as yet. Things were cut off with the frost of the 6th of July last, and, about the 24th of August, there was another which killed the Buckwheat and Corn, that grain is scarce and dear; so there has not been one month this summer but there has been frost.

Remain your affectionate brother,

SINGLETON GARDINER.

Shortly after the close of the war a dispute arose between Colonel Talbot and the Provincial Administration regarding the amount of land to which he was entitled as reward for his services in settling the district. It will be recalled that by the original order from Lord Hobart a grant of 200 additional acres was to be made to Talbot for each 50 acres of his original grant of 5,000 acres in Dunwich upon which he should locate a family. It will be observed that after Talbot had sub-granted all his original 5,000 acres he would have received 20,000 acres elsewhere.

In 1817 the provincial government put forth the contention that as Talbot had then received 15,800 acres, a further reserve of 4,200 acres was all that he could claim under the most favourable construction of the order in his favour. Talbot was not inclined to discuss the matter with officials at York, he preferred to deal with headquarters, and accordingly we find him in London, England, during the winter of 1817-18. On behalf of the Province a report prepared by Chief Justice Powell was submitted to the British Government which was frankly critical both of the terms under which Colonel Talbot carried on the work of settlement and also of his methods of doing business. There were a number of complaints specifically registered. Colonel Talbot, in the first place, had made no progress in promoting the cultivation of hemp which was one of the early reasons for giving him a generous grant. It was complained that although large areas were surveyed few settlers had come in until lately when there had been a large number of newcomers from the United States, despite a prohibition against this class. Criticism was made of the policy of giving 200 acres to Talbot while the settler might get but 50 acres. "When the emigrant possessing an authority to receive one hundred acres of land finds himself limited to the possession of fifty, and that the government actually bestows on a stranger 200 acres on that account, no reasoning can remove the impression of something worse than mere absurdity."

One further complaint was that Talbot ignored the Government in carrying on his work. Instead of a settler receiving an order-in-council for his land and paying his survey and patent fees in advance, as was the case in other parts of the Province, those who came into the Talbot settlement and dealt directly with Colonel Talbot were not called upon to pay fees in advance but were located by means of his map and lead-pencil. The case was further stated thus by Chief Justice Powell:

"Such as did not receive that advantage felt the distinction and that was an injury. At the time when fresh surveys were called for to accommodate

emigrants, and the want of money withheld the order for them, it appeared that large tracts of surveyed land on the road and adjacent townships of Bayham and Malahide, which Lieutenant-Governor Gore had also subjected to the exclusive location by Colonel Talbot, were left apart and that a large arrear of survey money and fees had accumulated to the amount of upwards of £4,000."

Gore had called upon Talbot to turn in the fees on all lands located by him and to restore Bayham and Malahide to ordinary course of location and it was this move that Talbot was seeking to combat. In the end a compromise was suggested by Earl Bathurst, Chief Secretary of State for the Colonies, namely that while concurring in the belief that his claim under the Hobart despatch could not exceed 20,000 acres, there should, during the next five years only be reserved at Colonel Talbot's disposal under the conditions stated by Lord Hobart "such further proportions of the townships of Aldborough and Dunwich as were vacant at the time when Colonel Talbot began the settlement."

There were some further instructions in Talbot's favor. There were to be no restrictions other than those imposed by acts of Parliament having reference to settlement in North America as far as Talbot's settlers were concerned and they need no longer have an examination at York before locating under him. With regard to fees, it was stated that these should not be demanded before settlement duties were completed and upon their completion deeds should be delivered without further delay.

How great was the influx of settlers at this time may be estimated by Talbot's statement to the Colonial Office, less than four years later, that his project was fully realized and that the Talbot settlement "had now become the most populous and flourishing settlement in Upper Canada, containing as it does a population of at least 12,000 souls, and establishing an uninterrupted communication between the eastern and western extremities of Lake Erie, and the settlements to the northward." To this he added that in achieving his task he had exhausted his own capital and, while possessed of ample land, he was in actual straits. He asked that the Government should grant him some aid.

Four years later, in 1826, he renews his appeal for aid. In a memorial transmitted to Lord Bathurst he claims to have established about 20,000 people on lands but at a cost to himself of £20,000. Again he writes that he is the poorer for the vast amount of land he holds, and solicits aid. His plea was successful this time and it was ordered that he should receive an annuity of £400. He did not intend, however, to cease efforts to enlarge the settlement for we find him in London in 1828 and again in 1829 pressing schemes of settlement upon the Government, which they, apparently, side-tracked, the attitude of the Upper Canada authorities being usually critical of any new plans of Talbot's.

At the same time that the lands of the various townships under Talbot's control were being filled up so rapidly, a village was also growing up within

the settlement which was destined to become a city. St. Thomas doubtless takes its name from the founder of the settlement but whether it was applied in sarcasm or jokingly, since his saintly character is not much in evidence, is a matter of doubt. The first buildings were erected along Talbot Street, those on the north side of the road being on the very edge of a deep valley through which Kettle Creek meandered. In 1821 Daniel Rapelje deeded to the Bishop of Montreal a plot of two acres of ground for a church and burying ground and on this plot, in 1824, was erected the old St. Thomas Church, the oldest church now standing between Amherstburg and the Mohawk church on the Grand River near Brantford, both of which were in use before 1800. The St. Thomas Church was built of brick and then coated with rough cast mortar. It is a quaint old edifice, beautiful in its setting on the high ground above the valley of Kettle Creek and with the graves of the pioneers beneath the green lawns that surround it. It is not now in use, but a service is held at least annually and in the centenary year 1924 it was visited by many visitors from other places. The first rector was Rev. W. A. McIntosh who presented a register which contains many interesting records. The first entry records the baptism on July 25th, 1824, of Mary Ann, the infant daughter of James and Margaret Hepburn. The second entry, on the same date, records the marriage of Benjamin Pettit to Lydia Johnston, the witnesses to the ceremony being Hon. Thomas Talbot, G. J. Goodhue, J. Warren and Bela Shaw. The Rapelje monument, a large flat stone, is located at the southwest corner of the churchyard where several members of the family had been interred before the property was deeded over for burial purposes.

Like the village of London, twenty miles to the north, St. Thomas developed by its trade with the surrounding farming country. Among the early business and professional men were George J. and J. C. Goodhue, James Hamilton, the Bigelows and Bela Shaw. The elder Bigelow was a pioneer in the black salts and potash industry which at that time was one of the main sources of revenue to the settlers. Colonel Talbot, from his eyrie at Port Talbot, looked with a suspicious eye on these traders at the village. "The Jews of merchants at St. Thomas will make their fortunes at the expense of my industrious farmers," he wrote to Hon. Peter Robinson in 1830, "having given but four Yorkers a bushel for wheat, and Hamilton and Warren have taken in, I am told, near 20,000 bushels, most part of which for old debts, on which they no doubt had a profit of 700 per cent."

When the district capital was changed from Vittoria to London it was generally felt that St. Thomas had been improperly passed over. A site had actually been laid out for the Court House should it come to St. Thomas. There were others disappointed as well in the final decision, for the village of Delaware had also had hopes of being selected and the Tiffany family had laid out the village in 1825 on a scale befitting a capital. St. Thomas blamed Colonel Mahlon Burwell for being passed by and thought that his influence with the Government had been hostile because of his defeat in a recent

election. In the carrying out of the plans for making London the capital the commissioners were Colonels Talbot and Burwell, James Hamilton, Charles Ingersoll and Captain John Matthews of Lobo. In compliment to Colonel Talbot the design of the new Court House was made similar to Castle Malahide in Ireland, his ancestral home.

While St. Thomas was thus in the beginnings of its material development, an interesting proposal was made to Colonel Talbot by Dr. John Rolph that there should be established in the village what was to be known as the St. Thomas Dispensatory. John Rolph, born in England and coming to Canada as a child with his father, Dr. Thomas Rolph, had been raised in the Long Point settlement and had later, as a young man, taken up land in Southwold Township, west of St. Thomas. He was on intimate terms with Colonel Talbot from an early date. In 1818 and 1819 he was in England where he studied first law, and then medicine. He practised both professions for a time but later gave up law and devoted his attention to medicine in which he attained distinction in the Province.

Dr. Rolph's proposal, as put before Colonel Talbot, was that there should be established an institution for the instruction of candidates in medicine and surgery, but with this he combined also the idea of a free dispensary such as is found to-day in connection with large city hospitals. In this work he associated himself with Dr. Charles Duncombe and told Colonel Talbot that they would unite their libraries and that he would also add the collection of anatomical preparations that he had made when a pupil of Sir Astley Cooper in England. Colonel Talbot was to be the perpetual Patron with visitorial powers, Colonel Burwell was to be the President, Captain Matthews and Colonel Backhouse were to be Vice-Presidents, Colonel Hamilton was to be Treasurer and Colonel Bostwick Secretary. The array of Colonels in the management of the institution is rather striking.

There is no evidence that this proposed school of medicine ever had any pupils, though it is possible that there may have been some free medical advice given by the two doctors whose names are connected with the proposal. That there was the intention of opening the school is indicated not alone by the letter to Colonel Talbot but more positively by the fact that in *The Colonial Advocate* of August 19th, 1824, announcement is made of the school and its work outlined. The advertisement reads, in part, as follows:

Notice is hereby given that a Medical School is opened at St. Thomas, in the Talbot Settlement, under the direction of Charles Duncombe, Esquire, Licentiate, and the immediate patronage of the Honourable Colonel Talbot, where the Education of young men for the profession of Medicine and Surgery will be carefully superintended, and every opportunity afforded them to become intimately acquainted with the structure and physiology of the human body.

Every student before admission is expected to have a complete knowledge of the Latin language, or to give satisfactory assurances of immediately acquiring it; for which purpose a competent teacher will be resident in the village.

Charles Duncombe will give a course of lectures on the Theory and Practice of Medicine.

**John Rolph is expected to give the first course of lectures and demonstrations during the ensuing season, on the Anatomy and Physiology of the Human Body.**

This advertisement, appearing in the York paper, is of particular interest as indicating the germ at least of medical education in Ontario. Dr. Charles Duncombe, whose name appears with that of Rolph in connection with the medical school, came from Delaware county, New York, to St. Thomas and was followed by other members of the family including two brothers, David and Elijah, who were also doctors. About 1822 Dr. Charles Duncombe left St. Thomas and settled in Burford, Oxford county. He was a man of rather distinguished appearance, a forcible speaker and much interested in political affairs. At a later date his interest in political matters led him into the outbreak of 1837 and caused an exile from Canada that lasted until his death in California in October, 1867.

John Howison, who spent some months in the Talbot settlement a little before 1820, was much impressed with the character of the people and the advance they had made. He thought that it exhibited more than any other part of the Province the amelioration of circumstances which Upper Canada afforded to those who emigrated from Europe. Nine-tenths of the newcomers were poor when they arrived but a few years of industry had relieved them of want. He thought that they might live in even greater comfort if they desired, but instead they followed habits and customs of the United States and Scotland and there was, consequently, much that was "offensively dirty, gross and indolent" in all their domestic arrangements. Altogether, he thought that the inhabitants of the Talbot settlement formed a democracy "hardly to be met with in any other part of the world." Differences in point of wealth were too trifling to create any distinctions of rank and newcomers were immediately admitted on an equality with those who had come before. There was courteous hospitality and a disposition to help one another. There were even some glimmerings of culture for in one farmhouse he found Plutarch's "Lives" and in another Blackwood's "Edinburgh Magazine."

Of the condition of the Talbot settlement in the twenties we have some interesting details given by James Pickering, an Englishman, who leaving his home land in October, 1824, eventually arrived in the Talbot settlement in July, 1825, where some few weeks later he became a sort of foreman or overseer for the Colonel. Some years later, when he returned to England, he published his observations in diary form in a small book bearing the title "Inquiries of an emigrant, being the narrative of an English farmer from the year 1824 to 1830." It was really intended as a guide to English people who might be contemplating removal to Upper Canada and being the actual experiences of an observant man must have had real value.

With regard to the Talbot settlement he noted numerous interesting details. It was necessary to lock up the sheep at night because of the danger from wolves. Threshing was done on the Talbot farm with a flail though elsewhere horses or oxen were used to tread out the grain, a man with four

horses treading out thirty bushels or more in a day, the product of such threshing being used for distillery purposes. Flail threshing, which produced a cleaner product, seems to have been a sort of trade in itself, the thresher getting his board and one tenth of the yield. One man could thresh out from eight to fifteen bushels a day. Millers were allowed one-twelfth for grinding the grain into flour.

The abundance of wild game, both birds and animals, interested Pickering. He speaks of the wild turkeys that would come up even to the barnyards and were easily shot, while in the woods they were abundant. Pigeons passed over in great flocks and the settlers, with nets and decoy pigeons, caught them by the hundreds, sometimes salting down the breasts and using the feathers to fill the ticks of their beds. There are frequent references to distilling, wheat being sent to the "still" and whiskey returned. In June came "training day" for the militia. Pickering was not much impressed by the coming together of the inhabitants for their annual parade. It was a frolic for the youngsters but not much good could result when the officers knew as little of military exercise as the men. On a trip to the west he saw fine crops of tobacco being grown, hundreds of acres being planted with this crop around Amherstburg. In that locality, too, he encountered some of the runaway black slaves from the southern States who, having entered Canada, were free. He noted that there were some hundreds of these people settled in Sandwich and Amherstburg where they were formed into a volunteer militia corps and trained to arms.

He gives this pleasant picture of pioneer hospitality in the backwoods: "In passing through a new settlement in the woods, the traveller is welcomed in every house, but perhaps he may have occasionally to sleep on a straw bed on the floor before the fire, with a blanket or two over him, and in the same room the whole of the family live and sleep, perhaps the only one in the house; for eating he has bread or cake and butter and potatoes, or 'mush and milk' if for supper. . . . Indian meal is also sometimes made into cakes, which are called 'Johnny cakes' and perhaps some meat; this is the living, generally, of the first year or two by those who bring little or no property into the woods but their own hands, with health and strength."

Pickering notes the variety of vegetables and fruits which Colonel Talbot had in his garden, and also the care that was given to it. "There are cherries, plums, apricots, peaches, nectarines, gooseberries, currants, etc., also water or musk melons, and cucumbers, fine and plenty. Cabbages and other vegetables thrive very well. A patch of Swedish turnips (or ruta baga) of a good size, notwithstanding the dry season. A few hills of hops at one corner of the garden look remarkably well; they are gathered at the beginning of September. There are also a few bunches of English cowslips, but none wild in the woods. There is a species of violet in the fields, with less fragrance than the English ones. The Colonel has likewise extensive orchards; some of the fruit fine, yet the great proportion raised from apple kernels, and remain ungrafted; although they bear well, their fruit is small and

inferior to those grafted, except for cider. . . . Sowed wheat from the beginning to the end of September and a little in October. . . . Cut the corn about the 20th of September, which was much eaten by the raccoons and black squirrels, which are extraordinarily numerous, troublesome and destructive, from the scarcity of nuts and mast in the woods this season."

Another glimpse of the settlement from the pen of an early visitor is afforded by the diary of Edward Ermatinger, who had been in the service of the Hudson Bay Company from the year 1818 but had left the Company and come east. He arrived in the village of St. Thomas on the first of July, 1830, having passed through a country that was generally well settled. At St. Thomas he noted "the neat little Episcopal Church" (in that churchyard he lies buried to-day) also the more material aspect of the place, its two stores, two taverns, blacksmith shop, tailor shop and a score or more of dwellings. The following day he went to the mouth of Kettle Creek (now Port Stanley) and noted two large storehouses near the harbour recently built, also a vessel of about 90 tons burthen, just launched for the St. Thomas firm of Hamilton and Warren.

Ermatinger met Colonel Talbot and called at his farm but was more interested in business than farming and endeavoured to get as much information as he could with regard to the opportunity for trade. There is an amusing entry on the 6th of July when he returned to his room at the tavern to find it in use as part of their stage by a travelling company of entertainers. He paid his York shilling, 12½ cents, to see the performance "which consisted of slack wire dancing, balancing tobacco pipes, sword and plate, hatching chickens in a hat, the bull frogs and a sucking pig, tumbling, etc. How the niggurs laughed and applauded, said he was a slick man and deserved to be flogged." The reference to the "niggurs" would indicate that some of the refugees who had arrived in Canada were living in St. Thomas. These were probably escaped slaves who had come in by crossing from Cleveland or Buffalo to Port Stanley. Mr. Ermatinger eventually settled in St. Thomas where he carried on a general business and later engaged in banking. He married a daughter of Rev. Mark Burnham, who was rector of St. Thomas parish from 1829 to 1852. Rev. Mr. Burnham was a leading figure in the early settlement and a frequent visitor at Port Talbot, in early years at least, though later on he found the language and bibulous propensities of Colonel Talbot so offensive that he ceased to visit him. He was ardently fond of books and reading and gathered together a very large library. He removed to Peterborough in 1852 and died there.

Other references to the character and conditions of the Talbot settlement may be gleaned from the diaries and writings of the early visitors. William Pope, an Englishman and an ardent lover of nature, came to Canada in 1834 and in his unpublished diary relates how he arrived at Port Stanley on a May evening after a journey up the lake from Buffalo. He gives us a graphic picture of the westward movement of population as he saw it at Buffalo: "The number of people who embark upon the steamboats and schooners at

this port is very great, emigrating to Michigan, Upper Canada and the wilds of the 'Far West.' The quays at this moment exhibit a curious scene of noise and confusion, baggage trunks and boxes of the emigrants piled in heaps, mixed with packages of goods consigned to the merchants (alias store-keepers) of all the different towns and villages within the reach and boundaries of the navigation of the lakes. Wharfingers and sailors hard at work with crane and capstan hauling in their several cargoes. Emigrants of many nations waiting for their passage, attending to their baggage, children squawling, women chatting and men bawling in language incomprehensible as at the 'Rout of Bable.' Heard plenty of 'guessing,' 'calculating,' 'considerable' and all that sort of thing during our journey through the State of New York. I did not give the Yankees credit for one-tenth of the many curious and original words and phrases which they are continually making use of in all their common conversation."

Pope was not much impressed with Port Stanley where he arrived on the evening of May 19th, 1834, after a not unpleasant trip skirting the Canadian shore of Lake Erie. "We once again stepped on to British ground," he says, "but this portion of England's vast possessions exhibited a poor, dirty miserable appearance. The best of Kettle Creek was bad, the meat was bad, the drink was bad, the beds were bad, the wharf was bad, the houses bad, the roads bad, and in short the whole place was bad—damned bad altogether—the only exception may be the people, at any rate I hope so."

A night's rest failed to soothe Pope's ruffled temper. His diary for the 20th fairly boils with disgust over the conditions. "After a wretched morning's meal on tough beef-steaks, part of an old worn-out ox or cow, three times cooked and each several times smothered in grease and garlicy butter, toast too bad for pagans and barbarians, tea concocted from some plant or herb hitherto unmentioned and undescribed by any naturalist or botanist . . . . after bolting or trying to bolt the above delicate and dainty fare, we hired a wagon to carry our goods and chattels to the village of St. Thomas. We ourselves rode in another."

Riding in a rough wagon over primitive roads was not conducive to soothing ruffled feelings but the beauty of the country and his interest in nature apparently diverted our traveller from his resentment over bad roads and bad food. Describing the journey northward to St. Thomas he says: "We first passed through some heavily timbered land, oak and beech, then three or four miles of sandy 'oak plains' as that description of country is here called, then again through clay lands covered with heavy timber, over two or three rickety bridges, through mud holes and sloughs, and after travelling about ten miles arrived at St. Thomas, pleasantly situated upon the east bank of the Kettle Creek in the Talbot Street, township of Yarmouth, London district, at which village my companions expected to meet some acquaintances they had in England and where they purposed to pitch their tents for the future. I likewise fixed on this place for my headquarters whilst I remained in Upper Canada. We found this a 'considerable' place, several good

stores and shops, an excellent brewery where first-rate beer is produced, two large hotels (as they are styled here), one kept by a Yankee, the other by an Englishman to whom I gave my choice. They also have a neat looking church in which the doctrines of the Protestant religion are promulgated. Altogether we were much pleased with the appearance of the place. It fell to my lot rather curiously to-day, for the first time I ever made a dinner in Canada to make it from John Bull's fare, good roast beef and a glass of capital ale. Fortune, heretofore so stern and distant, thus smiled at last."

That afternoon Pope set out on a walking trip to the east with York as his destination. With his gun over his shoulder, he says he felt like a second Robinson Crusoe. Of the Talbot settlement east of St. Thomas he says: "I journeyed ten miles along the Talbot Street which reaches thirty farther. The soil appeared to consist of clayey loam, hard-wooded timber, beech and maple, for about seven or eight miles when there commences a sprinkling of pine, indicating a change from clay to sand, which becomes more and more prevalent until the timber is scarcely anything but fir or pine. Every front lot on both sides the street or road, I think was settled as far as I walked on this day. The clay lands are fertile but not so much as I expected to find them, probably from having been cleared for several years they are greatly run out by taking crop after crop without applying any particle of manure. The young wheat looked well, it was yet too early for any other crop. I observed several new frame houses erected on the front of the old worn-out log-houses, a pretty sure indication that their masters have either increased their stock of cash or stock of children—generally both. The rough log-house is the settler's first home. Then, in the course of time, that either becomes too small or worn out and up starts the smart looking, white painted frame. Almost every lot appears to have a thriving orchard."

After a decent night's lodging in a backwoods tavern, Pope resumed his journey, still passing through the Talbot settlement but finding the appearance of things on this second day in marked contrast to the scenery just east of St. Thomas. He was now in a tract of country which he describes as "the most miserably poor land I ever saw in the course of my life." Amid the barren, shifting sand, forsaken log houses were fast falling into ruins, while the loose soil drifted over half-burnt stumps and heaps of logs half consumed by fire, and whole trees 70 and 80 feet in height reared themselves, dead and blackened, like sentinels amid the deserted land. But this waste land, he found, was but a narrow strip, being but the frontage of the lots, and the settlers, after performing their road duties, had moved to the rear ends of their farms where the soil was better. The road had been cut through the sandy tract because it was a soil that made a dry road, and Pope noticed that where the timber had been cleared from the sandy soil young fir trees of from one to five years' growth were again springing up in large numbers. That night he put up at another backwoods inn, having a supper of dry salt pork for sixpence and a bed for a shilling, these being the usual charges for entertainment. The journey was continued by way of Ancaster and Hamil-

ton, thence by boat to York. After a few days at this place he went to Buffalo and from there by boat again to Port Stanley and so again to St. Thomas, a journey in all of about 350 miles.

In a couple of days Pope was ready for another exploring trip and this time went west from St. Thomas, stopping at the home of Colonel Talbot. "Before we arrived at the house," he says, "we rode through two or three miles of forest, all belonging to the Colonel. His house, built of hewn logs, stands on high, sandy ground overlooking the lake of which there is here a fine view. He has, I believe, about 400 acres of cleared land, some of which being flat is very excellent. I liked the appearance of the place very much. He possesses a large flock of sheep and a quantity of cattle. The Colonel is a short, stout, hearty middle-aged man, eccentric in some of his manners. He received us very politely, asked us to stay and dine with him, gave us a good dinner and a capital bottle of port and some excellent cider of his own making. He showed us all over his garden which, for this part of the world, is a very extensive and a very good one. . . . He has lived here about thirty years, as he told us, and suffered considerable loss of property in the last war, being himself nearly taken prisoner by a troop of Yankees. He has had and still has the settlement of large tracts of land, and is here considered the great man of the place."

A few days later we find Pope walking north to see the village of London, most of the journey being made through a pelting rain so that when he reached the forks of the Thames at night he was wet to the skin. The next day he started north with the idea of going as far as Goderich. He passed through a settlement of Negroes at Wilberforce (now the village of Lucan) and was much interested in the presence of these fugitives from American slavery in Canada. At eight o'clock at night he arrived at a miserable tavern in the Canada Company's tract and there passed the night. "It was nothing but a miserable log building, only one apartment below and a kind of cock loft above to which led a ladder. . . . At one end of the house opposite the fireplace were ranged three or four beds into which at the proper time tumbled men, women and children. I, however, got one, narrow and scanty, to myself. A dozen or so of brats and youngsters retired to roost in the cock loft. The fire, in order, I suppose, to help heat the apartment, was kept blazing away throughout the night; I, however, slept well and soundly, notwithstanding the heat and mosquitoes which were very numerous."

He had hoped to reach Goderich by the next night but so terrible were the attacks of the mosquitoes, as he trudged on through the forest, that he was forced to give up and retraced his steps to London and St. Thomas. His description of the plague of mosquitoes he encountered gives some idea of this hardship which faced all pioneer settlers along with their other hardships. At a later date, following a journey through some of the eastern States, Pope was successful in making his journey to Goderich on Lake Huron.

The period of the thirties was one of considerable unrest in the Talbot

settlement, as elsewhere throughout Upper Canada, an unrest that culminated in the outbreak late in 1837 and the troubles of the succeeding year. For the unrest in his own settlement Talbot was no doubt in part to blame. Dr. James H. Coyne, one of his biographers, says: "An ardent Tory of the old school, before the days of responsible government, he did not condescend to vote personally at elections. This may have been owing to his position as a Legislative Councillor, but it was more likely owing to his peculiar temperament. The intensity of his views on political questions was, however, well known and tended to produce in his pugnacious Highland neighbours an equal if not greater favour of opinion in the opposite direction. It is significant, but not perhaps to be wondered at, that the Scotch township of Dunwich in which he lived is to-day the most strongly Liberal township in the county. There are streets in which for miles every voter, until a recent period at all events, cast his ballot on that side. On the other hand, it is equally significant that the southern portion, including Port Talbot, is to this day strongly Conservative. This section contains descendants of the original immigrants from Pennsylvania who came in 1809 and 1810, and who experienced special kindness and hospitality at his hands."

Mrs. Jameson, with much sympathy for his position, also pointed out some of his characteristics which tended to create unrest. "He has passed his life in worse than solitude," she says. "He will admit no equal to his vicinity. His only intercourse has been with inferiors and dependents, whose servility he despised, and whose resistance enraged him. . . . . Hence despotic habits, and contempt even for those whom he benefitted; hence, with much natural benevolence and generosity, a total disregard, or rather total ignorance, of the feelings of others—all the disadvantages, in short, of royalty, only on a smaller scale."

It was not possible that the Talbot settlement could remain aloof from the struggle that was going on in the Assembly at York. The abuses were Province-wide and the demand for reform was Province-wide. Though the Reform Party suffered severe defeat in the elections of 1830 they were stirred to activity and organization by the course of the Tory majority. The repeated expulsions of William Lyon Mackenzie, the bitterness, stupidity and prejudice of such men as Boulton, Hagerman and MacNab, the growing feeling that a small group, strongly entrenched at York, were determined to oppose all measures of reform—these, with the more local issues of sequestrated lands, Clergy reserves, and the temperance question, tended to cause a spirit of uneasiness. By 1832 Colonel Talbot realized that there was something wrong locally and determined to crush it at once. On March 14th, 1832, he issued a call for a public meeting of the settlers to be held at the King's Arms, St. Thomas, on St. George's Day, April 23rd. Contemporary accounts indicate that the gathering numbered between 1,500 and 2,000. Colonel Talbot wrote out his speech, the manuscript of which is still in existence, and it is one of the most curious speeches that has come down from that time. It begins with the military command "Silence and attention."

It has throughout the tone of one who is superior giving his commands to inferiors. For those who hold political views other than his own he has only contempt and abuse. They are "the sheep with the rot" who have slipped into the flock "and very black sheep they are." The temperance societies he regarded as a mere disguise for Reform activity. "Damned cold water drinking societies," he terms them, organized "to communicate their poisonous and seditious schemes to each other and to devise the best mode of circulating the infection, so as to impose upon and delude the simple and unwary." The grievance petitions are referred to as "a thing of trash and sedition founded on falsehood fabricated for the purpose of creating discontent, and in the end rebellion in this Province." He will have none of it and he warns the settlers against having anything to do with these new ideas, "whenever any of you hear any scoundrel utter treasons or endeavour to excite rebellion by act or deed, that you will give him a keepsake that he will recollect during his life."

Then, in pious tone, there came the benediction which is a unique close to a unique oration:

**"This day I hope may be kept in remembrance by you all as a day of salvation and mercy, and that you will implant it in the hearts of your children and to the latest posterity as a day of examination of your actions for the past year so that all corruption may be cast out.**

**"Now God of His infinite goodness and mercy bless and preserve all you that are true British subjects and keep your hearts and minds untainted by sedition or corruption."**

It was to a tribal god, mindful of his "true British subjects" that the appeal was addressed. All others could share that region to which he had already consigned temperance advocates.

Following Colonel Talbot's speech an address of Loyalty to the King was presented by Edward Ermatinger and opportunity given to sign it. The St. Thomas Journal says that nearly seven hundred names were affixed. In the evening a large party of "good loyal subjects" sat down to dinner at the King's Arms "when the utmost hilarity prevailed." So ended St. George's Day of 1832 in the Talbot settlement.

But disaffection was not quelled by such means. In January, 1833, there was a small riot in the village of St. Thomas when partisans of Colonel Talbot forcibly broke up a Reform meeting. Talbot, writing to Hon. Peter Robinson, at York, exults over the fact that his loyal friends "routed the rascals at all points, and drove them out of the village like sheep, numbers with broken heads, leaving their hats behind them, the glorious work of old Colonel Hickory." Elsewhere, throughout the settlement, there were meetings being held in schools and in homes where the issues of the day were discussed. Month by month, year by year, the unrest in the Province grew greater and with it the unrest all through the Talbot settlement. Mrs. Jameson, who visited Colonel Talbot in 1837, in the course of her travels in Upper Canada, noticed the rumblings of approaching trouble. In one place she says: "It would be possible, looking at things under one aspect, to draw

such a picture of the mistakes of the Government, the corruption of its petty agents, the social backwardness and moral destitution of its people as would shock you, and tempt you to regard Canada as a place of exile for convicts."

Finally, in December of 1837, there came the explosion. Mackenzie and his misguided followers attempted open rebellion and an attack upon the seat of Government at York. Their effort was a dismal failure. In the western part of the Province there was a rising similar to that of Mackenzie at York but smaller and even more of a farce. The leader in the west was Dr. Charles Duncombe, of whom there has already been mention in connection with the proposal for establishing a medical school at St. Thomas. Along in the twenties he had removed from St. Thomas to Oxford county and in the elections of 1830 and 1834 he was returned as a member for that district. In the Assembly he was an active member, interesting himself particularly in education and in the care of the criminal and the insane of the Province. After the election of 1836, in which Sir Francis Bond Head had raised the cry of loyalty to the Crown, Dr. Duncombe proceeded to England and laid charges against the Governor of having exercised an undue influence in the election. The mission was without result and resentment over this may have contributed to an embitterment of feeling that finally led the Oxford representative into rebellion. He is credited with having been reluctant to go to such extreme measures as Mackenzie proposed, but in the end he agreed, and in the first days of December of 1837 he was at the head of a band of about three hundred men, poorly armed and headed for York. The failure of Mackenzie's effort made the situation critical for Duncombe and his men who found the militia in all directions being called out against them. At Brantford Colonel MacNab had a force of five or six hundred in all while from the west came a considerable force, recruited at London and St. Thomas and led by Colonel John Askin, of London. The two forces under MacNab and Askin moved on Scotland village where Duncombe and his men were supposed to be awaiting them, but the enemy had scattered, and, though forty were taken prisoner at Otter Creek, the majority escaped, for the time being at least. Dr. Duncombe himself hid in the woods for several days, was later concealed in a home near Nilestown which was searched by Loyalists while he was there disguised as an aged grandmother and recumbent in bed, and finally escaped in the disguise of a woman by the connivance of friends. Reaching the St. Clair River he crossed the ice to the Michigan shore. During 1838 he was active in the plottings of the Hunters' Lodges, as they were termed, which were formed in the border States for the "liberation" of Canada. Vigilance on the part of the Canadian authorities foiled the designs of these semi-revolutionary organizations in which some Canadians were prominent. At a later date Dr. Duncombe removed to California and died in October, 1867, at the age of 75. He is buried at Sacramento, California.

The suppression of one of the two St. Thomas newspapers was one of the incidents during the troubles of 1837. *The Liberal,* edited by John

Talbot, a brother of Edward Allen Talbot, the writer, was violently radical, as *The Journal* edited by one Hodgkinson, was in a like degree rabidly Tory. Colonel John Askin, of London, hastened to St. Thomas at the beginning of the outbreak to arrest Talbot but the latter had already made his way to Detroit, from whence he was writing in January of 1838 that he was wholly destitute. A letter addressed to a friend in St. Thomas asks that the last issue of *The Liberal* before it was suppressed be sent to him so that he can check up the advertisements and possibly collect some money. In Ermatinger's "Talbot Regime" the following verse is quoted as a sample of what was appearing in *The Liberal* shortly before the outbreak:

"Up then, for Liberty—for Right,
Strike home, the tyrants falter;
Be firm, be brave, let all unite,
And despots schemes must alter.
Our King, our government and laws,
While just, we aye shall love them,
But Freedom's Heaven-born, holier cause
We hold supreme above them."

During 1838 there were continual alarms along the border and in January a troop of cavalry from St. Thomas proceeded to Amherstburg and there took part in the capture of the schooner *Anne* and its crew, together with the famous E. A. Theller, commonly known as General Theller. In February the St. Thomas troopers participated in the attack on the Patriot force on Fighting Island and their commander, Captain James Ermatinger, was thanked by the Lieutenant-Governor for his services. In the first week of March they shared in the dangers and the glory as well of the operations against the Patriot force on Pelee Island. These operations were carried out under the direction of Colonel Maitland, of the 32nd Regiment, whose early death was probably partly due to the exertions of this winter campaign. In the fighting of March 3rd four men of the 32nd Regiment were killed and one of the St. Thomas cavalry, Thomas Parish. A monument to the memory of these men was raised in Amherstburg soon after and may still be seen.

In July the St. Thomas cavalry troop was again called out, at first for service in their home town but later for garrison duty in London, where there were volunteer troops from Simcoe and London as well as the regular forces. Not until April, 1840, were the St. Thomas and Simcoe troops disbanded. During the whole of 1838 and even into 1839 there were fears of invasions and the progress of the trials of rebels at London, with the execution of six, and the exile of many more contributed to an uneasy state of mind generally. There was much petty persecution of those whose American origin made them objects of suspicion. The Leonard family were victims of this sort of thing in an unusual degree. Elijah Leonard, afterwards to become a Senator of Canada, was arrested four times upon charges of a most ridiculous character. The Leonards had come to Canada in 1829, settling first at Normandale, in Norfolk county, where they engaged in the

iron industry, then developing at that place. Five years later they removed to St. Thomas, Elijah Leonard forming a partnership with his father. Scarcely was the business started before the rebellion came and brought all trade to a standstill. After the rebellion Elijah Leonard moved to London and there founded a business which is still carried on by the family and which has grown in importance with each generation.

There were many others besides the Leonards who found conditions trying as a result of the Tory zeal of Colonel John Askin and others like him. Bela Shaw, a well-known St. Thomas merchant of American birth, was harried until he eventually sold out and left the country. George Lawton, a Yarmouth man well-known throughout the district, escaped capture, made his way to the United States and stayed there until calmer days had come when he returned to end his days in Canada. *The Toronto Mirror* of October 26th, 1838, has a letter from Alex. Ledbeater, of Howard township, complaining that on June 29th he and twenty-five of his neighbours were arrested, taken to London jail, held there for three weeks without trial and then discharged. He alleged that when the men were arrested their wives and children were harshly treated being told to bid farewell to husbands and fathers as they would never see them again. There were instances of harshness against Quaker settlers also, in part it would seem because of their religion, in part because of their American birth or ancestry. *The Oxford Star* of December 15th, 1848, speaks derisively of some who in 1837-38 swaggered in front of raw recruits and led raids into Norwich "in which some scores of Quakers' farmyards were reduced, as many pigpens carried by storm, and bleaching yards sacked and razed."

The troubles of 1837-38 gave a temporary setback to the progress of the Talbot settlement and the district about London in general. Immigration from Great Britain showed an astonishing slump in 1838 and many settlers left the country. This was particularly true of those who had been victims of petty persecution because of their American origin or supposed Liberal tendencies. But business was also demoralized for a time, prices went up and there was much distress. Senator Elijah Leonard in his memoirs says: "Our family were in great distress and could hardly get enough to eat, as my little business was their only source of support." Mr. Leonard actually left the country and went to Michigan looking for an opening, but not finding anything to his liking, returned to Upper Canada. References in the press of the times show that there was a considerable movement of people across the border. *The Detroit Free Press* of June 7th, 1838, says: "The emigration to the new States from our neighbouring Province of Upper Canada the present season is immense. A large number of families, well provided with money, teams and farming utensils, have crossed over to this place within the last few weeks. Twelve covered wagons, well filled and drawn by fine horses, came over yesterday."

*The Buffalonian* of the same date said: "A cavalcade of 16 wagons containing the effects of 150 emigrants from the Johnstown district of

Upper Canada passed our office yesterday afternoon on their way to Indiana," and *The Lewiston Telegraph* about the same time noted "a procession of seven large covered wagons from Canada laden with as many families" passing through that place on their way to the west.

There was even an organized movement in Upper Canada to promote emigration to the American West. In May of 1838 the Mississippi Emigration Society was organized at Toronto at a meeting presided over by Peter Perry, former member of the Assembly for Lennox and Addington. Nine directors were named, among them being Thomas Parke, one of the two members of the Assembly from Middlesex county, and also Francis Hincks, who was afterwards to play a rather important part in Canadian affairs. Parke was one of three to be sent west to locate a town site and Hincks was elected as secretary of the new organization. Needless to say, the Mississippi Emigration Society was hotly attacked by the Tory press.

For all of Upper Canada the close of the thirties was the end of one era and the beginning of a new. The coming of Lord Durham, his exhaustive report on conditions, the inauguration of new things by the appointment of Lord Sydenham and the union of the provinces, these all made for a new condition of affairs which was realized in large part during the next decade. In the Talbot settlement the end of the troubles of 1837-38 also marked the close of a chapter. Colonel Talbot was growing old, he could no longer carry on the many duties that had been his in earlier days. In 1839 an addition was made to the Talbot household in the person of George Macbeth, a youth whose earliest years had been spent in the Red River country, but who had come with his parents into the Talbot settlement in 1838. George Macbeth was later to become the trusted companion and attendant of Colonel Talbot, his adviser in everything, and in the end to receive a considerable portion of his property.

Colonel Talbot's work was really accomplished by 1840. He began to think seriously of the disposition of his vast estate. He had relatives, some of whom had visited him but none had stayed. In 1838 his nephew, Colonel Richard Airey, was in command of the troops at St. Thomas and some years later, being then the Military Secretary at the Horse Guards, he returned to Canada, bringing his family with him and settled with Colonel Talbot, on the understanding, it would appear, that he was to succeed to the estate. Difficulties soon arose, petty matters but leading to disagreements, and in the end Colonel Talbot left his old home and built a new one near by. But not even this could bring peace and Colonel Talbot himself went to England where he resided for over a year. Before leaving he conveyed to Colonel Airey the Port Talbot estate of 1,300 acres and all his lands in the township of Aldborough, the deed of March 16th, 1850, describing lands totalling 27,650 acres but including all other lands owned in the township. The Aireys did not remain at Port Talbot but rented the place and returned to England. The result was that when Colonel Talbot returned he found strangers in possession of the old home which had been his for so many

years. He shortly after removed to London, taking up his residence with his young attendant, George Macbeth, at whose home he died on February 5th, 1853. He was buried in the graveyard of St. Peter's Church, Tyrconnell, where a plain slab describes him as "Founder of the Talbot Settlement."

"The keynote of Talbot's character," says a biographer, "will be found in his pride of birth, his military and court training, his domineering temperament, his isolation and his desire to accumulate a great landed estate. Talbot Road and Settlement were merely incidental to his main object. His virtues, common to all the settlers, were unflinching loyalty and the welcome of the open door. To religious, political and moral reform he was blindly opposed or contemptuously indifferent. He lacked initiative: his schemes of settlement and road building were borrowed. His merit was that he alone exacted a strict performance of settlement duties. . . . It is for the romance of his career that Talbot will be chiefly remembered, apart from the fact of his being the eponymous founder of a famous settlement."



LORD DURHAM

# CHAPTER XII.

## UNDER LEGISLATIVE UNION

The immediate consequence of the uprisings in Lower and Upper Canada was the appointment by the Imperial authority of the Earl of Durham under a series of Commissions as Governor-General of the five British American colonies, and High Commissioner, to discover a remedy for the political ills which had been revealed. John George Lambton, first Earl of Durham, was born in 1792 and entered the House of Commons as Member for Durham in 1813. He was a Whig, in 1830 he joined the Cabinet as Lord Privy Seal, and he had a large part in the drafting of the Reform Bill of 1832. He had also served for two years as British Ambassador at St. Petersburg, so that he was a practised politician and diplomatist, fully at ease in dealing with men and affairs. He was married to the daughter of Earl Grey, and the Countess, like himself, had the highest social qualities. They left England in April, 1838, arriving at Quebec on May 27th. After the Earl was sworn in, two days later, his mornings were devoted to administrative work, his afternoons to long interviews with all sorts and conditions of people, and his evenings to interminable formal dinners of from twenty to forty covers. Lady Durham in her Diary records that not until late in July did the family dine alone. (*) The Earl's health was precarious, but that fact did not estop him from labour of the most unremitting and formidable sort.

On June 28th, 1838, through his influence the Special Council in charge of the Government of Lower Canada passed an Ordinance decreeing that the chief leaders of the insurrection should be transported to Bermuda, and that all other political prisoners should be released. The lenity of this action won approval not only in Canada but in the United States and greatly eased relations between the Republic (†) and Great Britain. At first, in England, the Ordinance was approved, and the Governor had complimentary letters from Downing Street and from Victoria, the young Queen; but political considerations intervened. In the House of Lords soft dealing with traitors was deprecated and Durham was so vigorously denounced that the Government took fright and disallowed the Ordinance. Promptly Lord Durham resigned and returned to England, reaching there on November 30th. His Report was completed on January 31st, 1839. In 1840 he died, the Countess surviving him only a year.

The section of the Report dealing with conditions in Upper Canada mentioned first the isolation of the various settlements and the consequent lack of political homogeneity. The political contest which had been carried

*Published in the Transactions of the Quebec Literary and Historical Society for 1915.

†Later Lord Durham while visiting Niagara Falls proposed the health of the President of the United States, in those times an unusual action for a British Governor, and immediately was a popular figure, in Washington and New York as well as in the border cities.

on in the Assembly and in the press had been based on the demand for responsibility in the Executive Government. The "Family Compact" controlled all offices, dominated the Magistracy, the bench, the Episcopal Church and a great part of the legal profession. "A monopoly of power so extensive and so lasting could not fail in process of time to excite envy, create dissatisfaction, and ultimately promote attack; and an opposition consequently grew up in the Assembly which assailed the ruling party."

The disposition of the Clergy Reserves was said to be the question of the greatest importance.

Concerning the steady and long continued effort to secure the reform of the Executive Council, the Report mentioned that the official party had paid only "a somewhat refractory and nominal submission to the Imperial Government," a neat way of referring to the Boulton and Hagerman case and to the open refusal of Sir Francis Bond Head to promote M. S. Bidwell to the Bench.

The electoral triumphs of Sir Francis were then reviewed and the progress towards rebellion noted. His Lordship considered that the insurrectionary movements were not indicative of any deep-rooted disaffection, and believed that almost the entire body of the Reformers sought only by constitutional means to obtain those objects for which they had so long peaceably struggled before the unhappy troubles occasioned by the violence of "a few unprincipled adventurers and heated enthusiasts."

The Report then touched upon the hardships of British immigrants. An English surgeon or lawyer could not practise without serving an apprenticeship, while a purchaser of land could not vote until he had paid the whole of the purchase money which might be a period of from four to ten years. In Illinois no such restrictions existed. Six months' residence qualified anyone for citizenship. For these and other reasons there was a constant re-emigration to the United States. At the same time American citizens were not permitted to hold land in the Province—a consequence of the war of 1812.

The Clergy Reserves question was then explained and the distaste of the country towards any church establishment was remarked. The activities of the Orange Order as a political society were set forth—not with approval—and the lack of roads commented upon. The deadening effect on trade of the British Navigation Laws was particularly noted, but praise was given to the Province for the enterprise which had been shown in the construction of the canals, although His Lordship unjustly declared that there had been extravagance and jobbery in connection with these public works.

In the preface to his conclusions Lord Durham said: "There prevails among the British population an affection for the mother country and preference for its institutions, which a wise and firm policy on the part of the Imperial Government may make the foundation of a safe, honourable and enduring connection." Then after a review of the alarming economic posi-

tion of the Province, His Lordship wrote this notable and far-seeing paragraph: "To conduct the government harmoniously is now the business of its rulers; and I know not how it is possible to secure that harmony in any other way than by administering the government on those principles which have been found perfectly efficacious in Great Britain.... The Crown must submit to the necessary consequences of representative institutions; and if it has to carry on the government in unison with a representative body, it must consent to carry it on by means of those in whom that representative body has confidence. The British people of the North American Colonies are a people in whom we may safely rely, and to whom we must not grudge power."

It must not be imagined that Lord Durham visualized such a complete divorce from the Imperial Parliament as experience and the sense of national self-sufficiency have effected in our own time. He insisted that the constitution of the form of government, the regulation of foreign relations, of trade with the Mother Country, the other British Colonies, and foreign nations, and the disposal of the public lands were points on which the Mother Country required control, but he held that Great Britain should not interfere with internal legislation, and the appointment of officials for the enforcement of colonial laws.

So far as Lower Canada was concerned Lord Durham considered that it was necessary to ring about the French Canadians with an English majority—an error of feeling rather than of logic—accordingly he recommended a Federation of the two Provinces, with a responsible government.

Robert Baldwin, the leader of the Moderate Reformers was consulted by Lord Durham while on his visit to Toronto in 1838. Following the interview Mr. Baldwin wrote on August 23rd a letter, enclosing a draft of proposals he had made to Lord Glenelg in 1836 looking towards Responsible Government and reiterating his confidence in full legislative freedom as the remedy for unrest. A paragraph from the 1836 proposals follows: "His Majesty's Imperial Government should at once adopt the final determination that the Provincial Government as far as respects the internal affairs of the Province should be conducted by the Lieutenant-Governor, with the advice and assistance of the Executive Council acting as a Provincial Cabinet, and that the same principle on which His Majesty's Cabinet in this country (England) is composed should be applied and acted upon in the formation, continuance in office, and removal of such local Provincial Cabinet." The letter to Lord Durham reiterated this principle and added: "Your Lordship must adapt the government to the genius of the people upon and among whom it is to act. It is the genius of the English race in both hemispheres to be concerned in the government of themselves. I would ask Your Lordship would the people of England endure any system of Executive Government over which they had less influence than that which at present exists? Your Lordship knows they would not. Can you then expect the people of these Colonies with their English feelings and English sym-

pathies to be satisfied with less? If you do Your Lordship will assuredly be disappointed." (*) There is some reason for the assertion that Robert Baldwin, the student and statesman of Spadina House, Toronto, was the Father of Responsible Government in the British Colonies.

The Select Committee of the Legislative Council appointed to consider the Durham Report was critical both of the document and of its titled author. Objection was taken first to the use by the Earl of the term "Family Compact," a name "blazoned forth with studious pertinacity, although the inaptness of the title had been previously admitted." From point to point the Committee followed the Report so far as it related to Upper Canada, and either denied or questioned its statements. Then the subject of Responsible Government was considered, with the conclusion that the plan must lead to the overthrow of the great Colonial Empire of England. There was sound logic in the argument; for no human mind could have visualized fully at the period, in the light of experience, the conditions at the beginning of the Twentieth Century—an Empire of free peoples, paying no tribute to the *métropole,* dominated in no single particular by the Imperial Parliament, and yet so passionately loyal to the British Parliamentary Ideal and the Throne that one million men voluntarily marched and fought to defend them. That miracle of statesmanship—or was it Providence?—was not foreseen even by Lord Durham. He dimly discerned that a contented people would be a loyal people and that self-government was the road to contentment, but he only indicated the path of wisdom. He would have been amazed if he could have seen the prospect at the end of the road. The Legislative Council Committee perceived the inherent weakness of a partial authority and came to the natural conclusion that the acceptance of the popular will in all respects could not be resisted permanently. In their judgment surrender would destroy the power of the governors and would lead to the end of British connection.

Concerning the Rebellion the Committee asked: "Is it because Reformers, or a portion of them, can command the sympathies of the United States and of Lower Canadian rebels that the internal affairs of a British Colony must be conducted to please them? In Lord Durham's Report there appears to be a justification of the course taken by the disaffected without one word of applause to those who risked and endured so much in defence of British supremacy." The Committee's Report ended as follows: "Your Committee have, however, through a feeling of respect for Her Majesty's Commissioner, refrained from commenting on his Report in the terms which they honestly avow they think it merits, confident that their forbearance will meet the desires of Your Honourable House and be equally in accordance with the wishes of the Family Compact hereinbefore mentioned." The flash of satire in the last sentence must have brought a grim smile to the firm lips of John Simcoe Macaulay when he signed the Report as Chairman of the Committee.

*Report Dominion Archives 1923, p. 326, et seq.

A Committee of the Assembly was much less restrained in commenting upon the work of Lord Durham and of his chief Secretary Charles Buller. "His Lordship's political principles were of course universally known," said the Committee's Report, signed by Christopher A. Hagerman, John Prince ("shot accordingly") Henry Sherwood, John A. H. Powell, W. B. Robinson, W. Chisholm and R. Rollo Hunter, "and it was feared that he might too readily adopt and act upon opinions that had unhappily been long in the ascendant, and which, for want of an earlier check, had brought upon the country all the misfortunes with which it had been afflicted." One thinks of Dr. Johnson's fulgurating denunciation—"The dog is a Whig!" In the same Appendix to the Journals of the House in which this Report appeared was printed—as if it were a precious contribution to history—Sir Francis Bond Head's "Narrative." Not often does the King's Printer apply himself to such light literature.

Leading men of Upper Canada displayed sound judgment in resisting the project of Organic Union. They knew far better than Lord Durham the peculiarities of each Province, and how difficult it might be to find a common ground of understanding. The difference of temperament and background between the Scottish-Canadian merchants of Montreal and the French Canadian leaders was so great that government in Lower Canada alone had become a most intricate problem. To complicate that problem still further by interjecting the questions dividing the people of the Upper Province was merely to make the floor of Parliament a cockpit, and Politics a *mêlée*. Papineau and Mackenzie had acted as if they had a common cause but the understanding was superficial. There was no solid unity of thought and aspiration. The Moderates of the two Provinces were divided on the Religious question, and consequently on the Educational question. Anglican high Tories of Upper Canada had doubts about Presbyterian high Tories in Montreal who held strange views about the disposition of the Clergy Reserves, claiming that the Kirk and the Church were co-equal Protestant bodies. French leaders who claimed full political freedom and favoured the official use of their language saw in the English-speaking Upper Canadians only another group of enemies. The course of politics for twenty-five years under the Union showed that Lord Durham's plan was unworkable—the French Canadians refused to be smothered by an English majority, and Upper Canada resented the enforcement of laws passed by Lower Canada votes against the prevailing sentiment of the West. The only unity possible was on the Federal basis, whereby each Province would be free to administer its own internal affairs and to follow the gleam of its own ideals and culture.

Those who imagine that Federal Union, as opposed to Legislative Union, was the discovery of the Fathers of Confederation in the later 'sixties should read a passage in one of the letters of Chief Justice William Smith of Quebec (*) written to Lord Dorchester in February, 1790. In speaking

*Cited from "Documents Relating to the Constitutional History of Canada," edited with notes by Adam Shortt and A. G. Doughty.

of the revolt of the American Colonies he said: "Native as I am of one of the old Provinces, and early in the public service and councils, I trace the late revolt and rent to a remoter cause than those to which it is ordinarily ascribed. The truth is that the country had outgrown its government and wanted the true remedy for more than half a century before the rupture commenced....To expect wisdom and moderation from near a score of petty Parliaments consisting in effect of only one of the three necessary branches of a Parliament, must, after the light brought by experience, appear to have been a very extravagant expectation.....An American Assembly, quiet in the weakness of their infancy, could not but discover in their elevation to prosperity that *themselves* were the substance and the Governor and Board of Council were shadows in their political frame. All America was thus, at the very outset of the plantations, abandoned to Democracy. And it belonged to the Administrations of the days of our fathers to have found the cure, in the erection of a Power upon the Continent itself, to control all its own little republics and create a partner in the legislation of the Empire, capable of consulting their own safety and common welfare."

Lord Durham, for all his political genius, had no thought of erecting a Power in Canada. To him as to all his more advanced associates in the Whig party United Canada was to be a subordinate organism, free to mind its own peculiar business, but helpless to interfere with Customs, Navigation Laws, International Relations, or anything else in which Great Britain had an existing or a latent interest. To him the grant of Responsible Government was at most a sop to the discontented. His enemies foresaw that Responsibility predicated Authority, that Authority could not be divided; their only error was in the belief that concession after concession would lead to independence of the Throne. They did not count upon the potent influence of Sentiment; they could not perceive that Emotion was the mainspring of national, as of individual conduct.

The high merits of the Durham Report (*) were perceived and legislation based upon its recommendations was passed by the British Parliament, despite strong opposition in England, as in Canada. The Act of Union, 1840, provided that the joint House of Assembly should have 84 members, 42 from each Province. There was to be an appointive Legislative Council with at least twenty members. Charles Poulett Thomson, formerly M.P., for Manchester, was named as Governor-General.

No mention was made in the Act of Union of the responsibility of the Executive to Parliament, but that the British Ministers had something of the sort in mind is shown by a letter of instructions sent by Lord John Russell to Governor Thomson (afterwards Lord Sydenham) in which he

*Charles Buller and Gibbon Wakefield were Lord Durham's principal assistants in the gathering of information. Both were men of ability and standing, and it has been said that Buller wrote the Report for which Durham took credit. The story seems to have been based on an ill-natured remark by Brougham. Buller never claimed the authorship; on the contrary he was a constant admirer of Lord Durham and was indignant at the treatment the Governor received.

declared that the tenure of colonial offices would no longer be considered as during good behaviour, since officials would be called upon to retire from the public service "as often as any sufficient motives of public policy might suggest the expediency of the measure."

Robert Baldwin was invited in February, 1840, to become Solicitor-General of Upper Canada in Lord Sydenham's Government. Possibly he had seen signs that Sydenham would not willingly turn a hand to bring in the era of responsibility, for he wrote: "In accepting office I consider myself to have given a public pledge that I have a reasonably well-grounded confidence that the Government of the country is to be carried on in accordance with the principle of responsible government which I have ever held."

Sydenham in 1839 had written to an English friend: "I am not a bit afraid of the responsible government cry. I have already done much to put it down in its inadmissible sense, namely, the demand that the Council shall be responsible to the Assembly, and that the Governor shall take their advice and be bound by it. I have told the people plainly that the Council is a Council for the Governor to consult, and no more."

Whatever people he told plainly Robert Baldwin was not among the number, or he would not have been found in the Sydenham Cabinet to help effect Union. Few politicians in the history of Canada have been as high-minded as this child of Spadina House, the son of that honourable and learned citizen, Dr. William Warren Baldwin. Possibly also fewer have been as deadly serious. He was not of the democratic temperament. While political strife was the breath of his nostrils, his stateliness was not abated. He was resolute and ardent, but there was a trace of contemptuousness in him.

At the period that Sydenham formed his Cabinet there were at least five political parties in the country; the extreme Tories, led by Sir Allan MacNab; the Sydenham group, led by W. H. Draper, of Toronto, the Governor's Attorney-General for Upper Canada; the Reformers, led by Robert Baldwin, the Ultra-Reformers, or Radicals and the French Nationalists, among whom LaFontaine and Morin had the chief authority. Of Mr. Draper, such were the graces of his oratory, and such his marked effort to be pleasant towards all men, that he won the happy nickname of "Sweet William."

The Cabinet consisted of Draper, Robert B. Sullivan, President of the Council; J. H. Dunn, Receiver-General; S. B. Harrison, Provincial Secretary for Upper Canada; Robert Baldwin, Solicitor-General; C. R. Ogden, Attorney-General for Lower Canada; Dominic Daly, Provincial Secretary for Lower Canada, C. D. Day, Solicitor-General for Lower Canada, and before the election, H. H. Killaly, Commissioner of Public Works.

The Elections of 1841, the first under the Act of Union, provided plenty of excitement, for the Tories were ill-tempered over the new constitution, and the Reformers correspondingly jubilant. In Lennox and Add-

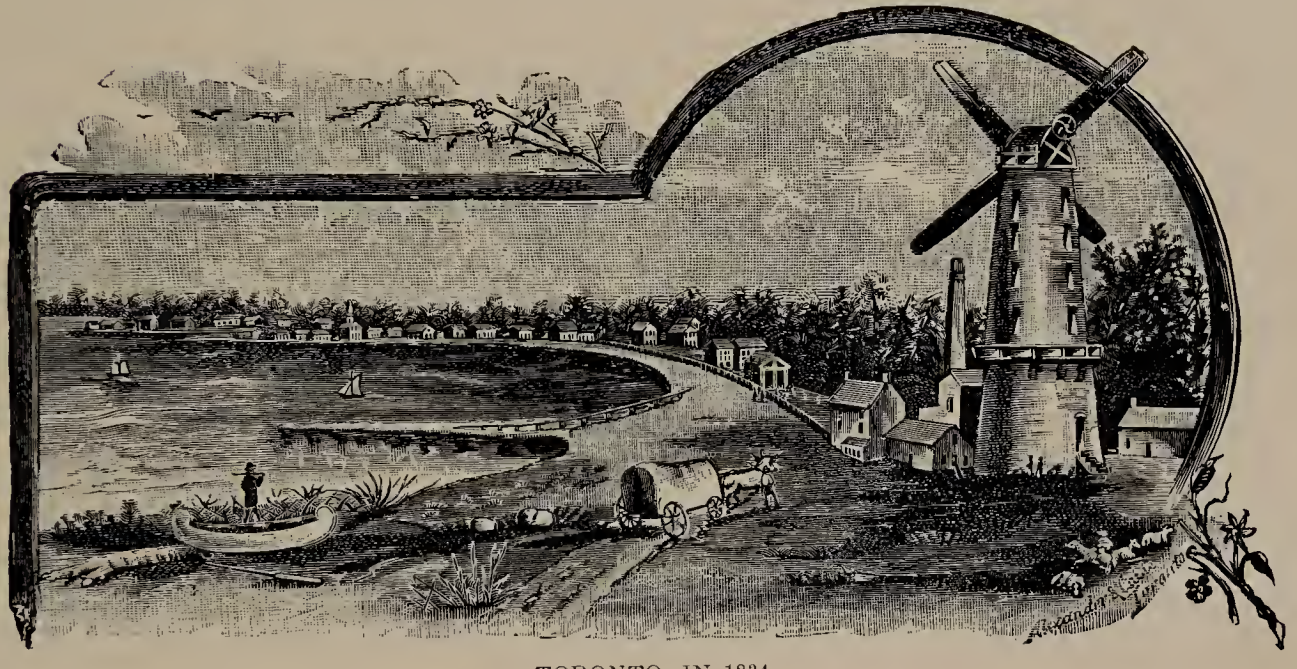
ington, where lively elections had been the rule ever since the day of the elder Bidwell, the successful candidate was John Solomon Cartwright, son of the Hon. Richard Cartwright of Kingston, and a convinced opponent of responsible government. His election was protested, but the evidence submitted was not satisfactory to the Parliamentary Committee, although that body determined that the conduct of the Returning Officer, Sheriff Allan Macdonell, had been "arbitrary, partial, illegal and overbearing." In the Town of Niagara where Henry John Boulton was ultimately elected—after his adventure as Chief Justice of Newfoundland—the Returning Officer, John L. Alma, was said to have been markedly hostile towards Boulton, displaying at times "unbecoming heat" and indulging in "violent gesticulation." James McGill Strachan who had been returned for Huron County was unseated, being succeeded by his former opponent Dr. William Dunlop, and in Kent County Joseph Woods successfully contested the election of Samuel B. Harrison.

For Toronto the Reform cause was represented by J. H. Dunn and Isaac Buchanan, Sherwood and Monro representing the Conservatives. The election began on Monday, May 3rd, 1841, and of course open voting prevailed. Each party had its group of "direct action" men, who were found too often with cudgels in their hands to overawe the timid. The result of the election, which lasted for a stirring week, was as follows, the totals at the end of each day being given:

| | Dunn | Buchanan | Sherwood | Monro |
|---|---|---|---|---|
| 1st day | 40 | 40 | 62 | 62 |
| 2nd day | 70 | 69 | 70 | 71 |
| 3rd day | 201 | 200 | 220 | 220 |
| 4th day | 321 | 312 | 337 | 334 |
| 5th day | 419 | 397 | 397 | 394 |
| 6th day | 495 | 466 | 441 | 436 |

The Reformers arranged for a triumphal procession on Monday, May 10th. At 1 o'clock in the afternoon the successful candidates escorted by so many citizens that the parade was over a mile long, set out from the Ontario House on the Market Square, proceeded by way of Market Street to Yonge, along King Street to Simcoe, up Simcoe to Lot (or Queen) eastward to Yonge, then south to King and east past the City Hall and the Market. All along the route there were indications that supporters of the other party meditated some measure of violence. Too many bully-boys with knobby sticks were on the streets, and particularly on the grounds of St. James's Church. Mayor Monro was warned that police protection might be necessary, but he is reported to have said that they might go to the Devil for protection. Since His Worship was one of the defeated candidates his testiness may be understood.

East of the Market on King Street stood "the North of Ireland Coleraine Inn," where an Orange flag was displayed. The Reform hangers-on had a menacing attitude. They drummed on the doors and on the outside



TORONTO, IN 1834

of the building with their sticks, and a woman threw a stone of protest against the Orange Order. The persons in the house appeared at the upper windows and one of them fired a pistol-shot at the crowd. A man named James Dunn, of course an innocent bystander, recently arrived from over-sea as an immigrant, fell dead. Several other shots followed. Four or five persons were wounded, among them being F. Langril and a lad named Cathcart.

The mob would have torn the house to pieces if it had not been for the appeals of Dunn and Buchanan, the Members, but while their angry followers halted between two opinions a company of British Regulars came up on the double, pressed back the mob and brought seven or eight persons out of the house, conveying them safely to the jail. These seven or eight were said by the *Examiner* to be "as bloodthirsty looking men as ever disgraced the human form." Neither party had a monopoly of hard words and extreme statements, for the atmosphere was electrical. It was said by Francis Hincks, though corroboration is lacking, that during the polling in the two Provinces from ten to twenty persons had been murdered and hundreds had been beaten and mauled. In Toronto during the week about fifty followers of Dunn and Buchanan had their heads laid open. The *Examiner* considerately neglected to mention how many Tories received similar treatment.

The Toronto riot was the occasion for a Parliamentary inquiry and the evidence which may be read in the Appendix to the Journals of 1841 is impressive and picturesque. The hostility displayed by many of the witnesses towards the Orange Order—for its violence rather than for its religious opinions—seemed to be uncommonly bitter, and there was reason. One witness spoke of the wheelbarrow full of cudgels picked up on King Street after the disturbance. Another described his effort to poll his vote, advancing towards the hustings only five yards from seven in the morning until after eleven, and being continually bullied and crowded by men of opposing views. No one can read this testimony without being impressed with the crudeness and unfairness of open voting, as compared with our more civilized system.

The result of the general election was the return of 7 High Tories, 24 Sydenhamists, 20 Reformers, 5 Radicals, 20 Nationalists and 8 in the doubtful column.

Parliament had not been long in session when the members realized that Kingston was not convenient as the seat of Government. The question came to a vote and the unsuitability of Kingston was affirmed by 40 voices against 20. Lower Canada favoured Quebec. Upper Canada favoured either Toronto or Kingston, but was resolute against conceding the privilege to the French Province. For a year the deadlock continued. Then Baldwin moved on November 2nd, 1843, that Montreal should be made the capital. The English-speaking Tories clamoured against this new "betrayal" of Upper Canada. The French Party objected because Montreal was the

home of the "Scotch Party" which had been dominant before the Union. But the situation of Montreal was undeniably good. It was already a large city, affording ample accommodation for the Members, and the resolution passed. The Parliament elected in 1844 had its first meeting in the old St. Anne's Market Building, Montreal.

Lord Sydenham's Executive Council as has been intimated was a ministry of all the talents, almost of all the opinions. High Tories and fervent Reformers were combined in a sort of armed neutrality directed against two groups—the advocates of independence on a republican plan, and the French Canadians. The Durham Report had advocated the union of the Provinces as a means of neutralizing French nationalism and here only the foresight of the great statesman failed. But his plan of ringing the French about with a pro-British population had a reasonable sound in the ears of the Loyalists of all shades of opinion, and this plan was the nexus which held the Executive Council together. Baldwin alone held the opinion that the French Canadians might be trusted to co-operate in the government of the country. He believed in representative and responsible government as a principle and did not shrink from the prospect of working it out in complete detail to its logical conclusion.

Just before the opening of the first Parliament of the United Provinces, Robert Baldwin appealed to Lord Sydenham to give the French Canadians representation in the Government. Naturally Sydenham declined, and in that action gave proof that he had no intention of setting up complete responsible government as Baldwin understood it. As a consequence the Solicitor-General resigned and became the practical leader of the Opposition, in concerted action with the French Canadians. La Fontaine was not in the House, having been defeated in Terrebonne. Baldwin had been elected in two constituencies. With the consent of his South York Committee he elected to sit for Hastings, and invited La Fontaine to become the Reform candidate in South York. He accepted the honour and in September, 1841, was elected by a majority of 210. Meanwhile through the weeks of summer the work of the first session of Parliament had been completed. "Sweet William" Draper had conducted the business of the Assembly with uncommon diplomacy, avoiding a definite statement of the meaning of responsible government as the Government understood it, and holding the heterogeneous elements of the Executive together.

Early in September Lord Sydenham wrote in satisfaction to an English friend that he had secured the five things he had specially desired: 1, the establishment of a Board of Works with ample powers; 2, the admission of aliens; 3, a new system of County Courts; 4, the regulation of the public lands ceded by the Crown, and 5, the District Councils Act. This last named Act is the charter of municipal government in Canada for all rural and semi-rural communities. Lord Sydenham was a man of genius in diplomacy and of almost feverish energy. But his physical strength was not sufficient for the tasks he had set himself. On September 5th he was

thrown from his horse in such a manner that his leg was broken and the flesh lacerated. Complications appeared, ending in lockjaw, and the Governor died on September 19th. He was buried in St. George's, Kingston.

The Board of Works established under the legislation of 1841 consisted of Hon. H. H. Killaly, Hon. D. Daly, Hon. S. B. Harrison and John Davidson, with T. A. Begley as Secretary.

The legislation for the establishment of elective Municipal Government in Upper Canada was assented to on August 27th, 1841. Previously separate incorporation acts had been passed; notably, that of 1834 setting up a civic administration in Toronto, but this was the first general Act, superseding the old system of government by Town Meeting and by the Magistrates assembled in Quarter Sessions.

The unit was not the County, but the District which in some cases included several counties, and which had developed naturally from the four Judicial Districts established by Lord Dorchester. There were now eleven, the *Eastern,* including Glengarry, Stormont and Dundas; *Johnstown,* including Leeds and Grenville; *Midland* including Frontenac, Lennox and Addington; *Prince Edward; Ottawa,* including Prescott and Russell; *Bathurst,* including Lanark and Carleton; *Victoria; Newcastle,* including Northumberland and Durham; *Home,* including York and Simcoe; *Niagara,* including Lincoln and Haldimand; *Gore,* including Halton and Wentworth; *Wellington; Brock,* including Oxford and the Townships of Burford, Blenheim, Nissouri, Dereham and Norwich; *Talbot,* roughly the present County of Norfolk; *London,* including Middlesex and the present Counties of Elgin and Huron, 33 townships and the towns of London and Goderich; *Western,* including Essex and Kent.

In October, 1841, by proclamation, the Huron District was constituted, to consist of the townships of Colborne, Goderich, Stanley, Hay, Stephen, McGillivray, Bosanquet, Williams, Hullet, McKillop, Logan, Elliott, North Easthope, South Easthope, Tucker, Smith, Hibbart, Fullarton, Dowie, Usborne, Blanshard and Biddulph. Colborne District was also established to consist of the Townships of Belmont, Methuen, Burleigh, Dummer, Asphodel, Otonabee, Dover, Smith, Ennismore, Harvey, Verulam, Emily, Ops, Fenelon, Mariposa, Eldon, Bexley, Somerville, and the seven rear concessions of Monaghan. Goderich and Peterborough were named as the District centres, and the Governor appointed Grammar School Trustees as follows: Huron District; Rev. R. F. Campbell, Rev. Alex. Mackenzie, Rev. Hy. C. Cooper, Dr. William Dunlop, and Charles Widder; Colborne District: Rev. R. J. C. Taylor, Rev. J. M. Roger, Rev. John Butler, Dr. John Gilchrst, and B. Y. McKeys.

In the various Districts Councillors were to be elected at the Township Meetings of January, 1842, by inhabitant householders and freeholders according to a voters' list to be prepared from the Assessment Rolls. The candidate for election had to be the possessor of unencumbered property within the District of a value of £300 currency, and the persons properly

chosen were to accept office; refusal to serve rendered them subject to a fine. The Warden of each District and the Treasurer were to be appointed by the Governor, and the District Clerk to be named by the same authority from among three nominations to be sent to the Governor by each District Council as soon as constituted. One third of the Councillors were to go out of office each year although any of those retiring might be re-elected.

The Councils were to meet four times a year and had no right to discuss any subjects outside their powers and jurisdiction. Each Council had authority to appoint a qualified District Surveyor to have charge of all works undertaken. The Council was given authority to pass by-laws for the improvement of roads, the construction of bridges and public buildings, for the buying and selling of real property for public uses, for the maintenance of schools, for the assessment of property and the collection of local rates. The total amount of taxes levied was not to exceed 1½d per acre. All by-laws had to transmitted to the Secretary of the Province for the consideration of the Governor and would not be valid until thirty days after their receipt. The Governor within that thirty-day period had the power of disallowance. All administrative powers previously exercised by the Justices of the Peace were taken over by the new Councils. Power was reserved to the Governor on the advice and consent of the Executive Council, to dissolve any or all of the District Councils and order a new election. The powers delegated to this local elective body were given with caution—almost grudgingly; the Municipalities from the beginning were subordinate bodies in every respect, and had no rights save by the consent of the Provincial authorities; the grant of Municipal elective government was not of inherent right, but of the bounty of the Crown.

The Bill was contested in the Assembly. The French members saw that it was a step towards the ultimate collection of local taxes in Lower Canada, and were unanimously opposed. Sir Allan MacNab and his friends believed that it smacked too much of democracy. One speaker considered that the Councils to be erected would be "sucking Republics." Robert Baldwin took the opposite view, that too much power was reserved to the Governor, but not all the Liberals held that opinion. Francis Hincks voted with the Government. The clause respecting the appointment of the Warden of each District Coucil was carried in Committee by a majority of one.

On December 27th, 1841, the following officers were appointed:

| District | Warden | Treasurer |
|---|---|---|
| Eastern | Hon. Alex. Fraser | Alex. McLean |
| Ottawa | Chas. Adamson Low | T. H. Johnson |
| Johnstown | Hon. William Morris | Andrew N. Buell |
| Bathurst | Alex. McMillan | Thos. M. Radenhurst |
| Prince Edward | John P. Roblin, M.P.P. | David Smith |
| Midland | John B. Marks | David John Smith |
| Victoria | William Hutton | Philip Ham |
| Newcastle | Walter Boswell | Zacchaeus Burnham |
| Colborne | Geo. A. Hill | John Gilchrist |

| District | Warden | Treasurer |
|---|---|---|
| Home | Edward W. Thomson | F. T. Billings |
| Niagara | David Thorburn, M.P.P. | Henry Y. Beasley |
| Gore | John Wetenhall | D. MacDougal |
| Wellington | Arthur D. Fordyce | Wm. Hewat |
| Brock | Hon. P. B. DeBlaquière | H. G. Barwick |
| Talbot | Israel W. Powell, M.P.P. | Henry Webster |
| Huron | Wm. Dunlop, M.P.P. | Henry Ransford |
| London | John Wilson | John Harris |
| Western | John Dolsen | J. B. Bâby |

The Clerks were appointed on March 4th, 1842, after the first meetings of the Councils. In many cases the *pro tempore* nominations made by the Wardens were confirmed. A partial list follows: Ottawa, Donald Macdonald; Johnstown, James Jessup; Bathurst, Robert Moffatt; Prince Edward, Thomas Moore; Midland, Francis M. Hill; Victoria, Peter O'Reilley; Colborne, John Darcus; Home, John Elliott; Niagara, Erastus B. Raymond; Gore, Edward C. Thomas; Brock, William Lapenotiere; Talbot, Fred T. Wilkes; London, James B. Strathy; Western, James Cowan.

The opposition to the system of Government nomination for District officers continued until 1846 when success was achieved. By the amending Act of that year it was provided that the Warden of the District was to be chosen from among the Councillors at the first meeting in each year, the Clerk was also to be an official elected by the Council, and the Treasurer was to be chosen in a similar manner for a term of three years. He was to be bonded in the sum of £2,000, with two sufficient sureties of £1,000 each. By the same legislation each District Council was given authority to determine the time and place of the Township meetings, thus establishing the principle, soon to be fully recognized, that the Township was a subordinate body.

In 1849 the Districts were abolished and the unit of organization for Judicial as well as for Municipal purposes became the County. As an interim arrangement, until the coming of a sufficient population and the erection of Court Houses and Jails "Unions of Counties" were provided for, with the understanding that as soon as possible a "Junior County" could withdraw from its Union and set up its own local government. The Unions of Counties were to be as follows: Essex and Kent (including Lambton), Frontenac, Lennox and Addington, Lanark and Renfrew, Leeds and Grenville, Lincoln, Haldimand and Welland, Northumberland and Durham, Prescott and Russell, Stormont, Dundas and Glengarry, and Wentworth and Halton. In the same Session (1849) a General Act was passed for the erection of municipal corporations, replacing all former Acts dealing with specific communities, and putting an end to the "Town Meeting." In its place an elective Township Council, with a "Townreeve" was established.

The municipal System of Ontario has proved itself to be perfectly adapted for the needs of the people. In addition the Township, County and Urban Councils have served as training schools for men interested in

public affairs, with aspirations for future service either in the Legislature or in the Federal Parliament.

Religion had a large place in the private and public life of early Upper Canada. Theological disputation was the diversion of the Community. Nor was it by any means futile. Out of the clash of opinions came a race of sturdy, clear-thinking, right-living Puritans believing in justice and public honour, rewarding with their favour men whose word was dependable and whose lives were upright, and subordinating private habits and ways of living, in which naturally they delighted, to the control of conscience. Thus in a drinking age, total abstinence societies were organized, in an age of rough living and rougher speech, men abandoned profanity, and cultivated the graces of life as taught in the New Testament. Churches appeared in profusion, for disputation bred an intense sectarianism. The Disruption in Scotland was reflected in the variety of Presbyterians worshipping separately in Toronto. There were Episcopal Methodists, Wesleyan Methodists, Primitive Methodists and Bible Christians—to say nothing of the "New Connexion." There were Tunkers and Mennonites, Quakers and the Children of Peace. There were Roman Catholics and Anglicans. There were Baptists of varied kinds. In a word, everyone was religious, although everyone was not pious. Still there were enough real pietists to create a steady public opinion against open immorality, against Sabbath breaking, against undue frivolity. "Old Man Ontario" of those days was a hard worker, an opinionated theologian, a stern but just father, and a man of prayer. Smart personages of our day are inclined to patronize their ancestors because of these signs of "weakness" and "credulity," but whatever may be said the Puritan philosophy has proved its efficiency as a maker of men. The founders of Upper Canada and Toronto were firm as a rock in character; patient in tribulation, fervent in spirit, serving the Lord.

A picture of a Puritan home of the period is found in Mrs. R. P. Hopper's "Old Time Primitive Methodism in Canada": "Father, Mother and all the professing Christians in the house were expected to take their turn in leading family worship. We had a man named Tom Smith. He never was hurt with religion, but father and mother tried to think the best of him. He had 'come out' in the revival services and joined the society. It was his turn to read and pray in the morning. He got the place, and coming to the words, 'there shall be weeping and gnashing of teeth,' he halted and said in a solemn voice: 'I suppose them that have no teeth will have to gum it.' There was no reply; no countenance changed its expression, but no doubt Tom would hear a little on the subject privately from mother. The church and its services had first claim upon our time, thought and money. We children had to commit ten verses to memory each week from the Bible, and I can well remember how I wished the Gospels had never been written. I thought it would have been better if Matthew, Mark, Luke and John had died in infancy, since what they had written was of no particular use, only to punish children. There was far too much religion in our

house to suit me. I would have enjoyed absence from one church service to see what it would have felt like to be away, while I knew the others were all there; but I never knew, for that experience never came. My mother always sided with the school teacher. No matter how unreasonable his demands might be we never heard his authority belittled. We must obey him or take the consequences. We never heard the minister discussed unless in his favour. He was God's ambassador and came with His message to us. Mother always expected us to obey father and grandmother on the instant; and she was generally the one who made us do it. 'No matter what I told you to do, if grandmother says you are to do another way you must mind what your grandmother says.' It was considered by us at the time very hard discipline, but I think now it was right, and it gives me a sweeter memory today than if it had been otherwise."

In houses where authority was sacred the doctrine of political reform never could go the length of rebellion. For that reason William Lyon Mackenzie failed. In this very house described Liberalism was a political faith. Heavy grievances were suffered by non-conformists and all felt that there was abundant room for improvement in the administration of the Government. But no member of that household bore a pike or shouldered a musket. On the contrary, the constitutional opposition of Robert Baldwin, and his toil for the establishment of responsible government found there a constant support all through the 'forties.

A religious census of Toronto for the year 1844 had the following result: Church of England 7,921; Church of Scotland, 1,860; Roman Catholics, 3,678; United Secession Church, 398; Independent Presbyterian, 426; Congregationalists, 629; British Wesleyan Methodist, 1,102; Wesleyan Methodist Church in Canada, 840; Episcopal Methodist, 11; Primitive Methodists, 283; Other Methodists, 185; Lutherans, 8; Jews, 18; Disciples of Christ, 77; Universalists, 35; Apostolic Church, 123; Covenanters, 35; Baptists, 454; Quakers, 22; Millerites, 55; Unitarians, 4; Free Church, 5; All Churches, 22; Dutch Church, 7; Bethelites, 2; No Church, 210—a diversified and interesting list.

Two measures proposed by the first Baldwin-Lafontaine Ministry roused much indignation in Toronto. They related to the reorganization of King's College on a non-sectarian basis under the name of the University of Toronto, and the suppression of all secret societies other than the Freemasons. The latter Bill was an answer to the fervent Toryism of the Orange Order. Implacable enmity existed between Baldwin and the Orangemen. At every election the Reformers blamed all opposition violence upon the Order rather than upon indiscreet members of it. Tories declared that the violence of "rebels" made it necessary to indulge in reprisals, and were offended because Irishmen were found with cudgels in their hands ready to attack "loyal" voters. In those days, as in times nearer to the present generation, one Party claimed a monopoly of loyalty to the British Empire.

The fact that Baldwin could propose and press forward a law so sub-

versive of individual liberty tends to show that he was more a theorist than a man of the world, and but an indifferent apostle of the doctrine of *laissez faire*. Naturally, the measure had the unanimous support of Roman Catholics, Irish and French, and passed the Assembly without difficulty. Sir Charles Metcalfe, the new Governor, did not sign the Bill, but reserved it for the consideration of the Imperial Government. In due time it was disallowed. (*)

Meanwhile an Orange demonstration of hostility towards the authors of the Bill was organized in Toronto. The following report of the happenings of November 7th, 1843, is taken from Francis Hinck's newspaper, *The Examiner*: "Last night between eleven and twelve o'clock a large body of Orangemen were permitted by the City authorities to disturb the public peace with hideous yells and cries of 'Down with popery,' as they followed a cart in which was erected a gallows; from it hung two effigies on which they had inscribed 'Baldwin and Hincks, the traitors,' and 'No surrender.' The 'heroes' will, however, be compelled to surrender, and Mr. Baldwin and Mr. Hincks would indeed be traitors to their long-expressed principles did they allow the present session to pass over without bringing forward the Act for the suppression of secret societies, as without that measure it is impossible to obtain security for life and property. P.S.—The effigies were burned amid the most indecent ribaldry immediately in front of the Hon. W. W. Baldwin's residence. It is well known that the venerable Doctor's health has been for some time in a very precarious state, which renders the outrage doubly atrocious. Our citizens may well rejoice at the opportunity which will soon be afforded them of displacing the present violent partizan City magistrates by the nomination of men possessing character, property and intelligence."

The principles of the University Bill had long been advocated by the non-conformists of the Colony. King's College was in essence an Anglican Divinity College supported by the revenue from Crown Lands, made valuable by the settlement of non-Anglicans in their neighbourhood. While the original constitution demanded subscription to the Thirty-Nine Articles by students, it had been modified by legislation of 1837. No religious test was required after that date, but the professors were all Anglicans, and Bishop Strachan was in command.

The natural result was the establishment in 1836, by the Methodists, of the Upper Canada Academy at Cobourg, which was raised to University status in 1841 under the name of Victoria College. The Presbyterians founded Queen's University at Kingston in 1842, and the Roman Catholic College of Regiopolis was established about the same time. Meanwhile work on the main building of King's College began in 1842, Sir Charles Bagot laying the corner-stone. Actual teaching began during 1843, temporary quarters being secured in the Parliament Buildings on Front Street.

*At the same time it must be remembered that the British Government at that period was distrustful of the Order, and permitted no Army Officer to be a member of it.

Mr. Baldwin proposed the federation of the Colleges in the University of Toronto, the Governor-General being Chancellor, and the Council being representative of the federated institutions. That is the status of the University today, but the suggestion was sacrilege to the friends of King's. Dr. Strachan "by Divine permission Bishop of Toronto," issued a protest from which the following sentences are taken to illustrate the temper of the document: "The leading object of the Bill is to place all forms of error on an equality with truth. It would utterly destroy all that is pure and holy in religion and morals."

The dispute between the Baldwin-LaFontaine Ministry and the Governor halted the project temporarily. Dr. Strachan and his friends never admitted the reasonableness of the proposal and never abated their claim that the terms of the original grant by George the Fourth were binding on his successors.

The corner-stone of King's College was laid on St. George's Day, 1842, by Sir Charles Bagot. There was an elaborate procession up University Avenue; soldiers in uniform, judges in the ermine of office, clergy in surplices, and academic graduates in gown and hood. The 43rd Regiment lined the route of the procession, which, in the words of a contemporary, was "one moving picture of civic pomp." Dr. Strachan, in this the day of his exultation, was supported by his friends and sympathizers, Chief Justice Robinson and Dr. John McCaul. The latter, who came to Canada in 1838, to succeed Dr. Harris as Principal of Upper Canada College, was soon named as Vice-President of the College, and Professor of Classics. He was the first President of the University of Toronto.

The building so happily begun was situated in Queen's Park, where the Parliament buildings now stand. It was of renaissance architecture, with stately pillars in front, and was not unlike the main building of Girard College, Philadelphia. It is said that the sum expended on the purchase of the avenue and the site, which comprised 160 acres, was £13,148 1s 9d—about $64,000.

Dr. John McCaul had much to do with the organization of the academic course as well as with the building operations. Soon he and Dr. Strachan were a joint target for all sorts and conditions of political mud-throwers. In 1844 an anonymous pamphlet entitled "The Origin, History and Management of the University" dealt with the real and fancied shortcomings of Dr. McCaul, with uncommon vigour. For some time afterwards no defence was made, and the contemptuous silence of the President led his critics to declare that the charges against him must be true, since they had never been denied. That drew a reply of protest, in which Dr. McCaul himself revealed unsuspected powers of invective. Of the anonymous pamphlet he said: "Its chief characteristics were strong efforts to pervert truth without the capacity to rise above the level of ordinary falsehood, heavy attempts of sarcasm, sinking into dull invective or coarse abuse, and particularly scrupulous care to vilify the characters of none but those whose position

and circumstances warranted the hope that they could not or would not punish the insult." At this the writer of the pamphlet, Mr. John Macara, owned the authorship, and made a public demand for a Committee of University Reform.

The first convocation for the conferring of degrees was held on February 8th, 1848, Dr. McCaul presiding. The graduating Arts class consisted of Daniel McMichael, Arthur Wickson, W. Craigie, T. W. Marsh, John Boyd and Alexander Dickson. The degree of Bachelor of Common Law was conferred upon Samuel S. Macdonell, John Roaf, Ira Lewis, George Crookshank, Larratt W. Smith, James Patton and Rev. F. J. Lundy.

Two buildings of importance to the Province were started in 1851; Trinity College, designed by Bishop Strachan to make head against the "godless" University of Toronto, and the Ontario Normal School which was the child of the Bishop's most doughty antagonist, Dr. Egerton Ryerson, Superintendent of Education. The respective corner-stones were laid on April 30th and July 2nd.

Dr. Ryerson's speech at the Normal School in the presence of Lord Elgin, who laid the stone, contained the following paragraph:

"There are four circumstances which encourage the most sanguine expectations in every patriotic heart with regard to our educational future. The first is the avowed and entire absence of all party spirit in the school affairs of our country, from the Provincial Legislature down to the smallest municipality. The second is the precedence which our Legislature has taken of all others on the western side of the Atlantic in providing for Normal School instruction. The third is that the people of Upper Canada have during the last year voluntarily taxed themselves for the salaries of teachers in a larger sum in proportion to their numbers, and have kept open their schools on an average more months than the neighbouring citizens of the old and great State of New York. The fourth is that the essential requisite of a series of suitable and excellent text-books has been introduced into our schools."

During 1852 the buildings of the Normal School were completed and the institution was formally opened on the evening of November 24th, Judge Harrison being in the chair. One of the chief speakers was Chief Justice Robinson whose address had power and distinction. One of his sentences follows: "It would be as wise to reject the use of railways because an occasional train runs off the track as to hesitate to give education to the multitude for fear it might in some instances, as no doubt it will, be perverted to bad purposes." Other speakers included Hon. Francis Hincks, Rev. Dr. McCaul and Rev. Dr. Ryerson, the Superintendent of Education. Dr. Ryerson paid a tribute of respect to the architect, Mr. Frederick W. Cumberland and reviewed the progress of the work. The cost of the building had been £17,200.

The die-hards of the Episcopal Party who regarded with detestation Ryerson and all his works, were scandalized at the action of the Chief

Justice in countenancing the occasion. The Hamilton *Gazette* said: "Deeply do we regret to learn that the Hon. Chief Justice Robinson appeared upon the platform at the educational festival and otherwise took part in the proceedings. We respect this gentleman not merely as a sound and upright judge but as one of the leading Christian patriots of the Upper Province. What could have induced him to row even for a few yards in the ill-omened boat of Egerton Ryerson?....The Chief Justice ought never to be found in company where he could not meet his reverend Diocesan, and right certain are we that John, Lord Bishop of Toronto, would sooner cut off his right hand or pluck out his right eye than countenance Ryersonianism in any shape or in any degree."

The following—a letter to *The Christian Guardian* by Egerton Ryerson, dated Feb. 21, 1842, has special interest:

"On returning from Kingston the tediousness of the journey was relieved by a most agreeable company. For the first time in my life I found myself in company with the Lord Bishop of Toronto and my legs locked in with his Lordship's. The Bishop was accompanied by Mr. Jarvis (the Head of the Indian Department)—a very pleasant travelling companion—and Mr. T. M. Jones, his Lordship's son-in-law—as amusing a gentleman as I have travelled with this long time; nor could I desire to meet with a more affable, agreeable man than the Lord Bishop himself. It would be unpardonable to make remarks of a painful character upon one's neighbours, nor do I think it proper, generally speaking, to introduce them into travelling notes in any form; but there has been something so peculiar in the relations of 'John Toronto' and 'Egerton Ryerson' that I must beg in this instance to depart from a general rule. Conversation took place on several important topics, on scarcely any of which did I see reason to differ from the Bishop. He spoke of the importance to us of getting our College at Cobourg endowed—that an annual grant was an insufficient dependence—that as the Clergy Reserve question had been settled by law, we had as much right to a portion of the Clergy lands as the Church of England—that as we did not desire Government support for our ministers, we ought to get our proportion appropriated to the College, as religious education was clearly within the provisions of the Clergy Reserve Act. Valuable suggestions, for which I thanked his Lordship! I took occasion to advert to what had excited the strongest feelings in my own mind and in the minds of our people generally—namely, imputations upon our loyalty to the Government and laws of the country. The Bishop, with his characteristic energy, said that what he had written on that subject he could at any time prove—that he had never represented or supposed that the Methodist body of people were disaffected; nor had he represented or supposed that those preachers who had been born and brought up in the country were disloyal; but he was satisfied that such was the case with the majority of those who used to come from the United States. I felt that the whole matter was one of history, and not of practical importance in reference to present interests; and I was much gratified in my own mind to find that the real question, as one of history, was the proposition of preachers who formerly came from the United States and the character and tendency of their feelings and influence; for no preachers have come from the United States to this country these many years, and we have none but British subjects in the Canada Conference

"After parting with the Bishop and his friends at Cobourg, in analyzing

the exercises of my own mind, I found myself amply impressed with the following facts and considerations:

"1. That the settlement of the Clergy Reserve Question had annihilated the principal cause of difference between those individuals and bodies in this Province who had been most hostile to each other.

"2. That much asperity of feeling, and how much bitter controversy might be prevented, if those most concerned could converse privately with each other before they entered the arena of public disputation.

"3. That how much more numerous and powerful are the reasons for agreement than for hostility in the general affairs of the country, even among those who differ most widely on points of religious doctrine and policy."

The following news item appeared in *The Colonist* on June 21st, 1855: "A new light produced from an oily liquid extracted from bituminous coal or native bitumen, rock oil or naphtha, has been tested lately in New York and is said to afford a light exceeding the best gas in brilliancy and whiteness. A company in New York have erected a manufactury and will soon supply it in abundance. It is called Kerosene and is very cheap in its manufacture." The long reign of the candle was nearly over.

After the death of Lord Sydenham, Sir Richard Downes Jackson, K.C.B., the Military Officer commanding, acted as interim administrator of the Government until the arrival in January, 1842, of Sir Charles Bagot who had been named as Governor-General. The appointment gave great satisfaction to the Tory party, for Sir Charles was known for his steady opposition to English Radicalism. He had been Parliamentary Under-Secretary for Foreign Affairs and had served in various diplomatic missions for Great Britain; from this experience he had learned the advantage of conciliation as the basis of public policy. Canada offered almost infinite opportunity for conciliation, inasmuch as each of half a dozen parties regarded each and all the others as undesirable in every sense.

Sir Charles spent the first months of the year 1842 in studying the situation, and in consulting with all sorts of people. He visited Toronto, Montreal and Quebec before taking any definite action. Then he appointed Judge Vallières as Chief Justice of the District of Montreal, and Dr. Meilleur as Superintendent of Public Instruction for Lower Canada, following up that unexpected action by calling Francis Hincks, of Toronto, to the Cabinet as Inspector-General.

All the hopes of the Tories were destroyed and they turned in anger upon Bagot. The Toronto *Patriot* said: "The appointment of Mr. Hincks has been received with strong expressions of disapproval by the great bulk of the loyal party of the Province. He has long conducted a journal which has been accused of ministering sedition to its readers." Richard Cartwright, of Kingston, a steady and resolute Tory, had been invited to join the Cabinet, but he refused to serve with Hincks. Ultimately Henry Sherwood, of Toronto, joined, and as a contemporary writer said, "the lion lay down with the lamb."

It was clear to Sir Charles Bagot that only by giving the French-Canadians a measure of representation in the Government, would he be able to

command support in the Assembly and carry on the King's business. Accordingly he wrote to La Fontaine on September 13th, 1842, asking for his co-operation and announcing that Mr. Draper's resignation was in hand if his presence in the Ministry were objectionable. La Fontaine, seeing that it was only a question of time until he and Baldwin must enter the Government on their own terms, declined the invitation.

There was a furious debate in Parliament and finally the Draper forces capitulated. Baldwin and La Fontaine entered the Government and A. N. Morin, a French-Canadian, became Commissioner of Crown Lands. The Ministers immediately followed British constitutional practice by resigning and going back to their constituents for re-election. Baldwin was defeated in Hastings, where the election was conducted with such ardour that two companies of the 23rd Regiment were sent up from Kingston to keep the peace. Following the precedent of the year before when Baldwin had provided an Upper Canada seat for his French-Canadian friend and colleague, La Fontaine cast about for a Lower Canada seat for Baldwin. Mr. Borne, of Rimouski, resigned, and the Toronto reformer took his place, having had the gratifying experience of half a dozen delirious demonstrations in his honour on the way from Montreal to his constitutency.

To the Tories the whole arrangement was nothing short of a political crime. Sir Charles Bagot, in their opinion, had dragged the King's prerogative in the dust and had pandered to the traitorous designs of a group of rebels and republicans. The flood of vituperation poured out upon the head of the Governor undoubtedly shortened his life, particularly when the Imperial authorities also were vigourous in disapproval of his action. It is said that when news of the admission of French-Canadians to office reached London, the Duke of Wellington was furious and even Sir Robert Peel was gravely disturbed. British Ministers could not but believe that every step nearer responsible government in the Colonies was a step nearer Colonial independence. Sir Charles Bagot died, May 19th, 1843.

Two months before, his successor, Sir Charles Metcalfe, had arrived in Kingston. Metcalfe's determination to govern with or without "the advice and consent of Cabinet and Parliament" was not out of character with his Whig principles, as understood at the time. He wrote to Lord Stanley soon after his arrival: "I must be prepared for the consequence of a rupture with the Council, for I cannot consent to be the tool of a party."

The Governor and his Council held together for one session of Parliament. Then in November, 1843, the Ministers resigned as a protest against the unconstitutional acts of the Governor in making appointments without Cabinet recommendation. For seven months Sir Charles Metcalfe was the Government, against the violent protest of the Reform Party in both Provinces. The temper of the Reformers was not improved by a statement in the British Parliament on February 2nd, 1844, by Lord Stanley, Colonial Minister, to the effect that the Imperial Government fully approved of the conduct of Sir Charles Metcalfe.

Throughout the early part of 1844 a political tempest raged throughout the whole country. The Tories resolutely supported the action of the Governor, declaring in a hundred articles and pamphlets that he had defended British sovereignty against the machinations of republicans and rebels. The Reformers claimed responsible government, "not a hair's breadth less and not a hair's breadth more," as Baldwin said. There was a banquet in honour of the Ministers in Toronto, at the North American Hotel, on December 28th, 1843, when a Reform Association was formed to organize a series of meetings throughout the country. The first of these meetings was held in Toronto on March 25th, 1844, in a hall at the corner of Front and Scott Streets. Among the speakers were Robert Baldwin, Robert B. Sullivan, his cousin and supporter, William Hume Blake, and a Scottish newcomer named George Brown, who on the 5th of that same month had founded a newspaper of some note in the country, *The Toronto Globe.*

Supporters of the Governor countered with the establishment of the United Empire Association; one of the charter members was a Kingston barrister named John A. Macdonald. Meanwhile Lord Stanley in the Imperial Parliament had referred to Baldwin and La Fontaine as "unprincipled demagogues" and "mischievous advisers" and Metcalfe had intimated that they were opposed to British sovereignty. The Canadians thus attacked, retorted by resigning their professional rank as Queen's Counsel—an action akin to the Chinese method of revenge: committing suicide on the enemy's doorstep.

Isaac Buchanan, elected as a Baldwin supporter, went over to the other side, and published a series of letters in support of the Governor. Dr. Egerton Ryerson was also found supporting the action of Metcalfe and indulging in a literary duel with Hon. Robert Sullivan. The Reformers were unsparing in their denunciation of Ryerson, particularly when he accepted the appointment of Superintendent of Education for Upper Canada. He was charged with having been bought, an accusation which had no basis in fact.

By the middle of September, 1844, Sir Charles Metcalfe succeeded in getting together the semblance of a Ministry. W. H. Draper was again Attorney-General for Upper Canada, and soon W. B. Robinson was Inspector-General. Parliament was dissolved on September 23rd, and the election writs were made returnable on November 12th, 1844.

That was a brave election—the Governor with his hat in the ring, the Tories rallying around the Old Flag, the Liberals clamouring for the Rights of the Subject and denouncing tyranny, absolutism, and corruption; the Orange boys with blackthorns and the Southern Irish boys with cudgels; Mr. Gowan seeking to force a duel on Hon. Francis Hincks, and the military rushing now to one polling place, now to another, to calm the raging passions of enthusiasts. More than one returning officer counted

ballots by a new and wholly original method—to the advantage of Governor Metcalfe. The result of the polling was as follows:

| | Tory | Reform | |
|---|---|---|---|
| Lower Canada | 16 | 26 | |
| Upper Canada | 30 | 12 | 46 to 38 |

The majority was too small for efficient government, but "Sweet William" Draper "carried on" for three years by the exercise of the arts of diplomacy. For example, it was during this Parliament that French became co-equal with English as an official language of Canada.

Sir Charles Metcalfe was ill during the electoral campaign with a cancerous growth in the face. He was forced to leave Canada in November, 1845, and died September 5th, 1846, leaving Lord Cathcart, Commander of the Forces in Canada, as Administrator.

A statement of the expenditure on each of the many important public works in Upper Canada up to 1845 was presented to Parliament in that year.

| | £ | s | d |
|---|---|---|---|
| Welland Canal | 238,995 | 14 | 10 |
| St. Lawrence Canals— | | | |
| Prescott to Dickinson's Landing | 13,490 | 19 | 4 |
| Cornwall—to the Opening of the Canal in June, 1843 | 57,110 | 4 | 2 |
| Cornwall—to Repair breaks in the Banks since that date | 9,925 | 16 | 4 |
| Beauharnois | 162,281 | 10 | 5 |
| Lachine | 45,410 | 11 | 2 |
| Expenditure on Dredge, Outfit, Etc. | 4,462 | 16 | 3 |
| Lake St. Peter | 32,893 | 19 | 3 |
| Burlington Bay Canal | 18,539 | 11 | 2 |
| Hamilton and Dover Road | 30,044 | 16 | 5 |
| Newcastle District— | | | |
| Scugog Lock and Dam | 6,445 | 8 | 1 |
| Whitlas Lock and Dam | 6,101 | 7 | 11 |
| Crooks Lock and Dam | 7,849 | 9 | 6 |
| Healey's Falls | 8,191 | 5 | 1 |
| Middle Falls | 219 | 2 | 8 |
| Ranney's Falls | 228 | 6 | 8 |
| Chisholm's Rapids | 7,599 | 14 | 0 |
| Harris' Rapids | 1,591 | 9 | 6 |
| Removing Sundry Impediments in the River | 185 | 17 | 0 |
| Port Hope and Rice Lake Road | 1,439 | 16 | 4 |
| Bobcaygeon Buckhorn & Crooks Rapids | 12 | 0 | 0 |
| Applicable to the Foregoing Works Generally | 6,674 | 1 | 2 |
| Harbours and Lighthouses and Roads Leading Thereto— | | | |
| Windsor Harbour (Whitby) | 15,355 | 18 | 3 |
| Cobourg Harbour | 10,381 | 6 | 3 |
| Port Dover | 3,121 | 10 | 4 |
| Long Point Lighthouse and Lightship | 2,163 | 8 | 5 |
| Burwell Harbour and Road | 136 | 10 | 0 |
| Scugog Road | 1,202 | 6 | 3 |

| | £ | s | d |
|---|---|---|---|
| Port Stanley | 16,242 | 10 | 10 |
| Rondeau Harbour, Road, and Lighthouse | 60 | 4 | 2 |
| Port Stanley Road | 24,385 | 13 | 5 |
| Expenditure on Outfit, Etc., Applicable to the Foregoing in Common | 2,328 | 13 | 7 |
| River Ottawa | 35,603 | 13 | 6 |
| London, Chatham, Sandwich and Amherstburg Road | 12,789 | 0 | 1 |
| Gosford Road | 10,801 | 10 | 10 |
| Main North Toronto Road | 686 | 19 | 4 |
| Cascades Road | 13,287 | 19 | 6 |
| London & Sarnia Road | 19,837 | 5 | 11 |
| London & Brantford Road | 36,182 | 18 | 5 |

These items made a total of £864,263 25s 3d or in decimal currency $3,487,052.50. It was a considerable investment considering the scanty population, the circumstances of the people and the state of the government revenues, which were not much more than $2,000,000 for the two Provinces. In 1849 the total value of private rateable property in Upper Canada was only about $20,300,000.

The population of Upper Canada at the time of the Union of 1841 was a little short of 450,000. The census report by Counties here follows:

| | | | |
|---|---|---|---|
| Stormont | 10,109 | Prince Edward | 21,875 |
| Dundas | 7,212 | Durham | 17,165 |
| Glengarry | 12,397 | Victoria | 12,699 |
| Prescott | 6,104 | York | 51,493 |
| Russell | 2,863 | Simcoe (partial) | 6,296 |
| Carleton | 9,392 | Halton | 37,627 |
| Lanark | 15,282 | Wentworth | 16,100 |
| Leeds | 20,363 | Lincoln | 27,073 |
| Grenville | 14,402 | Haldimand | 32,445 |
| Frontenac | 14,691 | Talbot District | 9,235 |
| Middlesex, including Elgin and Huron | 31,834 | Essex | 8,956 |
| Lennox and Addington | 14,065 | Brock District | 14,155 |
| | | Kent | 12,265 |

The population of the various towns, included in the returns above: Goderich, 673; London, 1,761; Niagara, 2,090; Hamilton, 2,986; Belleville, 1,363; Picton, 994; Kingston, 4,828, Cornwall, 1,439. There were 13,092 people in Toronto. Customs receipts at Toronto were £4,750; at Burlington, £2,883; at Kingston, £3,872; at Niagara, £896; at Port Hope, £429; at Brockville, £389; at Amherstburg, £538, and at other ports proportionately less. The tonnage duty report of 1840 mentioned the following steamers plying in Upper Canada waters: *Brothers* and *Western* of Chatham, *Hamilton* of Kingston, *Burlington* of Niagara, *William IV.* of Prescott, *Transit* and *Queen Victoria* of Windsor, *Britannia, Gore, Cobourg, Great Britain, Commodore Barrie, St. George, Gildersleeve* of Toronto—fourteen in all, with eighty-one schooners; a total of 8,629½ tons.

The Collectors of customs were as follows:

Amherstburg, Francis Caldwell.
Belleville, Henry Baldwin.
Burlington, John Chisholm.
Chippawa, James Secord.
Cornwall, Geo. S. Jarvis.
Gananoque, Ephraim Webster.
Hallowell, William Rorke.
Maitland, Alexander McQueen.
Newcastle and Trent, Bernard McMahan.
Oakville, William Chisholm.
Prescott, Alphaeus Jones.
Port Colborne, Walter B. Sheehan.
Port Dalhousie, John Clark.
Port Hope, W. Kingsmill, Marcus F. Whitehead.
Port Stanley, John E. Bostwick.
Queenston, Gilbert McMickin.
Sandwich, Wm. Anderton.
Toronto, Thos. Carfrae.
Bath, Colin McKenzie.
Brockville, Richard D. Fraser.
Chatham, William Cosgrove.
Cobourg, W. H. Kittson.
Fort Erie, Hon. James Kerby.
Goderich, John Galt.
Kingston, Thos. Kirkpatrick.
Mariatown, Alexander Macdonell.
Niagara, Thos. McCormick.
Penetanguishene, Wm. Simpson.
Port Burwell, Jas. P. Bellairs.
Port Credit, Jas. W. Taylor.
Port Dover, Geo. J. Ryerse.
Port Sarnia, Richard E. Vidal.
Port Talbot, Mahlon Burwell.
Rivière aux Raisins, John Cameron.
Turkey Point, Donald Fisher.
Windsor, Whitby, Wm. Dow, jr.

The discovery of the Columbia River and the exploring expedition of Lewis and Clark stirred up the American editors and politicians to make extravagant claims with respect to the territory of Oregon, which then meant practically the whole Pacific slope from the old Spanish possession of California northward. President Tyler in a Message to Congress in December 1843 laid claim for the United States to all territory on the Pacific coast between 42 degrees, and 54 degrees, 40 minutes North Latitude, that is to say, as far northward as the present Prince Rupert. Considering that Mackenzie, Fraser, Thompson and other British fur-traders and explorers had been ranging through the Rockies north of the mouth of the Columbia for thirty years, and considering that the Northwest Company of Montreal had acquired by purchase the post of Astoria on the Columbia the claim was extreme to the verge of absurdity.

In 1845 James K. Polk became President. Soon after his inauguration he said that the United States knew its rights with respect to Oregon and would maintain them, by force if necessary, against the arbitrary pretensions of Great Britain, these "arbitrary pretensions" being merely the natural desire to hold territory won by the toil and hardship of British explorers on land and the enterprise of British navigators in the North Pacific. The Democratic Party supported Polk, a hundred editors ringing the changes on the theme "Fifty-four-forty, or fight." The threat of the President was so definite that it was noticed in the British House of Commons by Sir Robert Peel who said that he still hoped for a peaceful settlement, but that if British rights were invaded he would maintain them.

On the death of Sir Charles Metcalfe in 1846, Earl Cathcart, a soldier, was named as Governor-General of Canada, despite the preference of the Canadians for a civilian Governor. Perhaps this fact may have warned

the authorities in Washington that Peel meant what he said. In any event when the British Government offered to cede to the United States all territory south of the 49th parallel, which included the mouth of the Columbia River, the offer was accepted. The concession of many square miles of territory to which the United States had no claim either in law or in equity seems today as Quixotic generosity, but that concession averted a war, and it must be remembered that the territory in question at the time was mere tangled wilderness without inhabitants.

There had been a change of Government in Great Britain. Sir Robert Peel was succeeded by Lord John Russell, and the second Earl Grey became Colonial Secretary. This was a fact of high importance to Canada, for Earl Grey believed that the principle of responsible government could be granted to a Colony without putting an end to British sovereignty. In a letter of instructions to Sir John Harvey, Governor of Nova Scotia, dated November 3rd, 1846, the new Colonial Secretary wrote: "It is neither possible nor desirable to carry on the government of any of the British provinces in North America in opposition to the opinions of the inhabitants."

With this principle in mind the Imperial authorities named Lord Elgin as Governor-General, and he arrived in Montreal on January 29th, 1847. Parliament opened in June and it was apparent that the days of Mr. Draper's diplomacy were at an end. The Address in Reply to the Speech from the Throne was carried by a majority of 2. Mr. Draper retired to the Court of Queen's Bench; John A. Macdonald became Receiver-General and the Sherwood-Daly Ministry continued on a precarious footing until the new election on January 24th, 1848. The result of the polling was a clear majority in both Provinces for Baldwin and La Fontaine. The standing was 26 to 16 in Upper Canada and 36 to 6 east of the Ottawa River. Promptly Lord Elgin summoned the Reform leaders to form a Cabinet and the "Great Ministry" of 1848-1851 was constituted. The Upper Canada section of the Cabinet consisted of Robert Baldwin, Robert B. Sullivan, Francis Hincks, J. Hervey Price, who had been the first City Clerk of Toronto, Malcolm Cameron, and William Hume Blake.

In order to allow the new Ministry to perfect its policy and prepare its legislation the Session was postponed until the beginning of the year 1849. Parliament opened on January 18th and continued sitting until May 30th. The legislative programme was long and contentious, but a number of the Acts passed were momentous in their consequences. There was a measure of electoral reform. The Judicature Act was revised. Provision was made for the completion of the St. Lawrence Canals. The constitution of King's College was revised in harmony with the proposals supported before the country by Hon. Robert Baldwin. Bishop Strachan, taking the extreme view that the Church had been wrongfully despoiled by this legislation, determined upon the establishment of another College distinctively Anglican. He started a fund with a gift of £1,000, went to England

and secured sufficient assistance to justify the foundation of Trinity College, which was organized in 1851, and had a worthy career as a separate Arts Institution until University Federation was effected half a century later.

Two tentative proposals were discussed by Parliament—the construction of an Interprovincial Railway (recommended by Lord Durham's report) and the transfer of the Postal Service from Imperial to Canadian authority. In due time both proposals were carried into effect.

The Rebellion Losses Bill caused a long and bitter controversy in Parliament and in the country. The proposal that those who suffered damage in property should be reimbursed, and that the acts of all rebels and offenders should be officially forgotten, roused the Tories to fury and was disapproved by many Moderates. The presence of Louis Joseph Papineau in the House of Commons—under a previous act of grace recommended by La Fontaine—did not ease the course of the Bill, for Papineau showed himself an irreconcilable, a bitter-end-er, critical of the Government at all times. La Fontaine on the floor of the House rebuked him with great severity. The Tories revived the slander that Baldwin was a republican and a friend to revolution and called the Bill a measure for rewarding disloyalty.

Tories of Lower Canada rested chiefly upon that argument. Their friends of Upper Canada had an additional complaint; namely, that £180,000 taken from the Consolidated Fund for this purpose would work a hardship upon Upper Canada, since practically the whole sum would be distributed in the east. Claims arising out of the Mackenzie outbreak had already been settled from Government revenues collected in Upper Canada.

The Debate in Parliament was red-hot. Sir Allan MacNab was so vigorous in counselling resistance to the Rebellion Losses Bill that he was called a rebel, and retorted with the short and ugly word. Throughout Upper Canada there were meetings of protest, and the proceedings were embittered by the knowledge that William Lyon Mackenzie had returned to Canada, being freed from prosecution by the Amnesty Act. The Tory newspapers were implacable. Said the Toronto *Patriot*: "One bigoted personage hopes that if Mackenzie goes to Toronto he will be tarred and feathered, but another, of more liberal feelings, would prefer his being ducked in a horse-pond, as being more English and less personal."

Mackenzie never lacked courage. Threats and warnings did not deter him, and on Sunday, March 18th, 1849, he arrived from Montreal by stage and was received as a guest by Mr. Mackintosh, who lived on the west side of Yonge Street, a little north of Teraulay Cottage. On the third day following there were mutterings of violence, and by nightfall a mob of some 1,500 had assembled, bearing three effigies and a sufficiency of tar-barrels. Down Yonge Street they marched to King, then eastward past the City Hall and the central police office, then to Front Street and west-

ward to the residences of Hon. Robert Baldwin and Hon. Wm. Hume Blake, Attorney-General and Solicitor-General of the Administration. Here two of the effigies were burned. The third placarded with the name of Mackenzie was carried to Mr. Mackintosh's front dooryard and soon was blazing. Then the house was stoned until not a window in the front was unbroken. Three or four policemen were on duty in the neighbourhood, but naturally they were helpless. The mob finally drifted over to Church Street and stoned the residence of George Brown, editor of *The Globe*, dispersing finally about four o'clock in the morning.

The readiness of Lord Elgin to follow English Constitutional practice in accepting all the advice of his Ministers exposed him to furious attack. Loud were the threats against him if he should dare to assent to the Rebellion Losses Bill, which had passed both Houses and now awaited his signature. On May 1st the Governor drove to the Parliament Buildings, accepted this and other bills, and returned to "Monklands," his official residence. On the way his carriage was pelted with eggs.

That night there was a Tory meeting on the Champ de Mars, with Augustus Heward, brother of the Toronto Hewards, in the chair. Inflammatory addresses were delivered by Mr. Mack, Mr. Esdaile and Mr. Ferres, editor of *The Montreal Gazette* and the meeting resolved itself into a procession bound for the Parliament buildings on St. Anne's Square. The House was in session when the mob announced its presence by throwing stones through the windows. Soon a body of roughs had penetrated to the Chamber and dispersed the Members. One sat in the Speaker's chair directing the destruction of furniture and papers. Another made off with the mace. In the midst of this pandemonium the cry of "Fire" was heard. The main gas pipe had been severed, the gas lighted, and soon the whole building was in flames. Sir Allan MacNab and a few associates saved the portrait of the young Queen and a few books from the library, but practically everything else was destroyed. On that night Montreal gave proof that it was not a suitable capital. Thenceforward until Confederation, Parliament met for alternate periods in Toronto and in Quebec.

On the night of May 2nd a Toronto mob burned Lord Elgin in effigy. It is said that for some time afterwards Dr. Lett, of St. George's Church, omitted from the Anglican service the prayer for the Governor-General. In August a public print referred to Lord Elgin as "the political Judas Iscariot who betrayed his Sovereign and disgraced his office as Her Majesty's representative." In sheer disgust some Montreal Tory and Protestant leaders prepared a manifesto in favour of annexation to the United States, which made a noise in the subsequent political history of the country.

The Montreal movement in favour of annexation to the United States, had its echo in Toronto. Early in 1850 a Toronto Committee favouring peaceful departure from the British Empire issued a manifesto signed by Richard Kneeshaw and H. B. Willson, the secretaries, urging the apparent

advantages which Canada would find in unity with the Republic. Some sentences from this manifesto follow: "The endeavours of those, whose individual interests are not identified with the community at large, to retard the early consummation of this great and glorious object must be firmly met by a manly determination to overcome every obstacle. Let it be borne in mind on all occasions that the connection of these Colonies with the Mother Country is no longer regarded by any class of politicians, either in England or in Canada, as a thing of permanence. The course of action recommended is merely to accelerate inevitable events and shorten a state of transition."

Undoubtedly there was truth in the statement that none of the politicians could envisage an Empire of free Colonies such as the British Empire is today. The expert in government being logically minded assumed that a Colony which was not ordered and directed from Downing Street could not be a Colony at all; therefore, that Canada must go peacefully into independence, and thence comfortably into annexation. But the politicians did not count on that illogical but potent spiritual impulse called sentiment. The inhabitants of Upper Canada, as distinguished from the political activists, had a pride in their birthright as British subjects. They knew that somehow or other it was possible for them to be at once free democrats and ardent monarchists. For that reason the annexation campaign left them cold and unconvinced. The busy energy of the Government in "amoving" certain Justices of the Peace and other officials who were favourable to a change of flags was scarcely necessary. If the movement had had any real popular strength the Administration would not have been able to check it by specific acts of punishment.

The Parliamentary Session of 1850 opened in Toronto on March 14th, with A. N. Morin as Speaker of the Legislative Assembly; W. B. Lindsay as Clerk, Felix Fortier as Clerk of the Crown in Chancery, and Frederick Starr Jordan as Gentleman Usher of the Black Rod. The Speech from the Throne announced the death of the Queen Dowager, the transfer of the Postal Service from Imperial to Provincial hands, and the disapproval of Queen Victoria at the loose talk of annexation to the United States. "I have deemed it to be my duty in the exercise of the Prerogative with which I am entrusted to mark Her Majesty's disapprobation of the course taken by persons holding Commissions at the pleasure of the Crown, who have formally avowed the desire to bring about the separation of this Province from the Empire of which it is a part. The views put forward by these persons and by those who act with them, do not, I have reason to believe, find favour with any considerable portion of Her Majesty's Canadian subjects." One thinks of Strachey's quotation—the devastating sentence of Her Majesty, "We are not amused!"

Whether this paragraph was wholly the product of the Responsible Ministers of the Crown, or was inspired by a hint from the Colonial Office as to Her Majesty's views, it had the Victorian atmosphere of chilly dig-

nity, and cooled the ardour of some who had signed the Montreal manifesto on account of the Rebellion Losses Bill of 1849. A return during the Session of 1850 showed that the total of claims from Lower Canada for Rebellion losses was £202,080. The Commission of inquiry up to that time had not passed upon any of these claims.

The Government was of Liberal complexion, but in Radical eyes it was Conservative in temper. Thus arose dissension in the Reform Party. The political quarrel between Baldwin Reformers and "Clear Grits" was marked by much bitterness. George Brown in *The Globe,* referred to the Clear Grits, as a "miserable clique of office-seeking, bunkum-talking cormorants." Malcolm Cameron called Brown "a fanatical beast," and William McDougall in *The North American,* said that the founder of *The Globe,* was "a servile adherent of the Baldwin Government."

The more prominent men of the Clear Grit party, in addition to Cameron and McDougall, were Peter Perry, Caleb Hopkins, David Christie, James Lesslie and Dr. John Rolph. The expressed demands of this faction included the adoption of the elective principle in the filling of all public offices, universal suffrage, vote by ballot, biennial Parliaments, the abolition of property qualifications for Parliamentary representatives, a fixed day for the holding of general elections and for the meeting of the Legislature, retrenchment in public expenditure, the abolition of pensions to judges, the abolition of the Court of Common Pleas and the Court of Chancery, the reduction of lawyers' fees, free trade and direct taxation, an amended Jury Law, the abolition or amendment of the usury laws, the abolition of primogeniture, and the secularization of the Clergy Reserves.

Many of these principles were favoured by Baldwin Reformers, but some of them were out of harmony with British Parliamentary and administrative practice and were opposed by the friends of the Government. George Brown was not wholly satisfied with the deliberation of the Government in finding a settlement for the Clergy Reserves Question, and was vigourous in his denunciation of an alleged "unholy alliance" between the Anglicans and the Roman Catholics to resist secularization. For this and other reasons the editor of *The Globe* drew upon himself the bitter hostility of the Roman Catholic people. Further, when he became a candidate for Parliament in Haldimand in the Government interest he found himself opposed by William Lyon Mackenzie, representing the Radicals. He was beaten, and the former rebel went to Parliament in his stead.

The Session of 1850 was noteworthy for yet another debate on the Clergy Reserves Question. Finally, the Government, on the motion of Hon. J. H. Price, proposed the submission of an Address to Her Majesty reciting the history of the question and asking for the repeal of the Imperial Act of 3 and 4 Victoria, so that the Canadian Government would be able to dispose of the reserves and apply the proceeds to general educational purposes. The Address cited the nine separate occasions from 1827 on which the representative branch of the Legislature had favoured such a




FIRST COMMERCIAL ELECTRIC RAILWAY IN AMERICA
OPERATED AT TORONTO EXHIBITION, 1883



EXHIBITION GROUNDS
SHOWING GOVERNMENT BUILDING ON RIGHT

settlement only to be balked of their will by the action of the Legislative Council.

During 1850 a series of letters from Washington appeared in *The Examiner* over the signature of William Lyon Mackenzie. While there is apparent no decline in controversial power the bitterness of spirit is considerably abated. The following sentences from one of these letters might serve as the constitution and by-laws of any one of the political parties of today:

"I would like to live long enough to see Canada happy, and deservedly so—her sons united as one man to promote the common welfare, her lovely daughters rearing a young race of manly, mild, yet temperate freemen, and teaching them to hate every form of government through which the human mind is enslaved or enshrouded in mental or moral darkness, her hills and valleys, her hospitable homesteads, towns and hamlets filled with tolerant, kindly citizens, each serving God as his conscience might dictate without the fear of persecution or the hope of recompense, and taking for his guide the Golden Rule. . . . To this millennial state of things the worn-out wanderer that now addresses you can scarcely hope to reach, but surely the child is born among you who will see it. We live fast in these times and the ball is rolling in the true direction."

At the next Session, during the summer of 1851, Mackenzie moved a resolution to the effect that the Court of Chancery should be abolished and secured a majority of the Upper Canada members in favour. Since this was in the nature of a vote of want of confidence Robert Baldwin resigned office, and retired from politics. Soon afterwards La Fontaine followed suit.

For eight months in the year the early settlements in Upper Canada were served by water routes. The Lakes, the Rivers, were the highways of traffic, and there was no pressing need for land roads save as auxiliaries to the natural trade routes. Thus Yonge Street was chopped out of the forest at the order of Governor Simcoe to shorten the distance between Montreal and Michilimackinac by providing two easy portages, as compared with thirty-five by way of the Ottawa River, to Lake Nipissing and Georgian Bay. The Ottawa was a canoe route; batteaux could be used on the St. Lawrence, Lake Ontario and Lake Huron, and if necessary could be dragged across the Carrying Place at Trenton and up Yonge Street to Lake Simcoe. The saving in freight ranged from $40 to $60 per ton. Roads, various in their degrees of badness, were established along the banks of the St. Lawrence beside the rapids, and two years after the establishment of the Province a road was opened between Ancaster and the Mohawk village, thus joining the trade route of the Grand River and Lake Erie to Lake Ontario. By 1798 a stage was running on the river road from Queenston to Fort Erie. Mr. Macklem of Chippawa was the owner and the fare was $1.00—about 4c a mile. There was no great difficulty in providing transportation in winter, for the snow made excellent roads, but a regular winter stage between Montreal and Kingston was not established until 1816. Barnabas Dickinson was the owner. In the winter fol-

lowing Samuel Prudy started a stage between Kingston and York, the journey occupied three days and the fare at first was $18. There was no regular stage between Niagara and York until 1826; in 1827 a stage from Ancaster to Sandwich was established, but it was not profitable and soon was abandoned.

The heavy outlays of Upper Canada for the improvement of water transportation made it impossible to provide all the money that was needed for roads. After the Union the example of the Turnpike Trust of Montreal induced Parliament to grant to private companies the right to construct gravelled and macadam roads and to collect tolls for their maintenance, but the result was never satisfactory. Too often the Companies did not carry out their contracts; the roads were carelessly and cheaply repaired, and the collection of tolls was counted an imposition. Just as the patience of the people was wearing out the railroad era began, and the highways for horse traffic were of secondary importance. Thos. C. Keefer, C.E., in *Eighty Years of Progress* gives a table showing the outlay of Upper Canada on roads from 1792 to 1861. Before the Union of 1841, $1,529,122.65 had been expended on roads and bridges; the mileage was 714 of common roads, 137 miles of macadam, and 125 miles of plank roads. After 1841 municipalities and joint stock companies constructed 1,302 miles of common roads, 283 miles of macadam and 194 of plank roads at a cost of $4,366,522. Government appropriations after 1841 made a total of $2,012,-974.30—so that the total road expenditure, public and private—without reckoning statute labour by the inhabitants was $7,908,628.61—with a mileage of 2,755 miles.

Railways were still in the future so far as Upper Canada was concerned. The first line in Canada connected LaPrairie and St. Johns, Que., and was sixteen miles long. It was opened for traffic in 1836, but for a year horses furnished the motive power. A locomotive imported from England went into operation during 1837. Meanwhile all sorts of public men were projecting various lines, notably the London and Gore, which was Sir Allan MacNab's promotion, and the City of Toronto and Lake Huron Railway, planned originally to connect Toronto and Sarnia. The Board of Directors elected on July 14th, 1845, was Hon. William Allan, President; George P. Ridout, Clarke Gamble, William B. Jarvis, the sheriff of the Home District; John Ewart, architect and contractor, who built Osgoode Hall; Hon. Henry Sherwood, W. H. Boulton, William Proudfoot, Frederick Widder, commissioner of the Canada Company; George Ridout, William Atkinson, and Edward George O'Brien, secretary *pro tempore*. The capital was £500,000, "in 100,000 shares of £5 each." For a good many years this railway was still a project.

In a review of the year 1846 the Toronto *Examiner* summarized the situation with respect to railway projects as follows: "The projected railroad from Quebec to Halifax is a child of 1846; part of the route has been surveyed, and as there is a hope on the part of the colonists, and we

believe a promise on the part of the British Government, to give £1,000,000 sterling towards the undertaking, there is a distant prospect of its being at length completed. The offer of the British Government will be tempting and may be a sufficient incentive to exertion, but there will be a drawback in the reflection that even with so large a bonus the road would not at first be a paying concern.

"The estimated cost of the projected railroad from this city to Kingston is £865,000, and of that from Port Hope to Peterborough £60,000.... The Toronto and Lake Huron railroad has, we fear, made no progress during the year. Allan MacNab's Great Western scheme has survived the explosion consequent upon the jobbing of the stock, and its success is announced as unquestionable by some who are interested in it; but the truth is that the monetary aspect of the affair is gloomy."

Better reports could be given with respect to the "magnetic telegraph" which in 1846 became a practical means of communication. From the *Examiner* of Jan. 6th, 1847, the following paragraph is taken: "On January 1st, 1847, the electric communication was opened between this city and St. Catharines. Yesterday it was opened to Queenston, and there is every reason to hope that in a very short time it will extend to Buffalo, thence to all the cities down to the seaboard, and to Washington, the capital of the Union. So rapidly has this work been completed that some distant journalists have supposed the announcement was a mere hoax; it could hardly be believed that the public spirit of Toronto, the old capital of Canada West, should outstrip that of the United Provinces—Montreal. It has fairly done it, however, in this instance."

On March 17th the same newspaper said: "Messrs. Livingston and Wells, who constructed the magnetic telegraph from Toronto to Buffalo, have obtained the contract to erect a line from Montreal to this city, to be completed by the first of August next."

There was a certain liveliness also in telegraphic construction between Montreal and the Maritime Provinces, and the newspaper editors remarked upon the possibility of supplying the Boston and New York papers with European news secured at the landing of the trans-Atlantic steamers at Halifax.

The Cunard Line had already begun to make the world gasp at the size and majesty of its liners. The Glasgow *News* said late in 1847: "The Cunard Company has four vessels of enormous power in course of preparation. To give an idea to those who have never seen these monsters of the deep is utterly impossible. The America is 30 feet wide and is 250 feet long. She is 1,800 tons register, and is fitted up with engines of 700 horse-power. The engines baffle description. Their magnitude and splendour upset all our former ideas of engineering greatness."

That this warm expression of praise should appear to the people of 1927 as exaggerated is the best indication of the changes which invention and diligence have made in the life of the world during only two generations.

During the summer of 1849 Asiatic cholera again appeared. The majority of those attacked were immigrants weakened by the hardships of a long journey and herded in unsanitary sheds. Up to the end of August there had been 713 cases and 428 deaths. The Board of Health materially improved the methods of dealing with the disease, and the City of Toronto enacted a by-law to compel householders to notify the authorities of all new cases of the disease.

At the instance of Sir Allan MacNab Parliament gave authority to municipal corporations to subscribe for stock of the Great Western Railway "and otherwise to aid in completing that undertaking." It was a dangerous authority to commit to any municipality, particularly when the only safeguard proposed was representation on the Directorate of the Railway Company. In later years when promoters had completed their various arguments many of the municipalities of Upper Canada found themselves in an unenviable financial position.

*The Globe* of October 5th, 1852, contained this item:

"The Queen's Wharf has become the scene of altogether unusual bustle for the last few days; three steamers and a schooner have been discharging there the rail for the Northern road. The locomotive, the arrival of which we noticed before, has attracted a great deal of attention. On Wednesday next we understand that steam will be got up and the machine will be used in the construction of the road. The first turn of the wheels of the first locomotive of Upper Canada is a revolution pregnant with great events."

In accordance with the promise here made, and in the presence of a large crowd, the great revolution occurred on October 7th, 1852. A track had been laid along the wharf. The wood fire was kindled and in due course the warning bell was rung. "She stirs: slowly at first, but presently with more speed. Amid the cheers of the crowd she moves along the wharf, the steam whistle waking the echoes of the Bay."

This locomotive was named the *Lady Elgin,* and in due time did service in company with the *Toronto* and the *Josephine.* The construction work on the line continued during the autumn of 1852 and the spring of 1853 and by June trains were running regularly as far as Bradford. There was a temporary station at the southern end of Bay Street, though it was inadequate to serve the needs of the traffic. The fare to Bradford was 4s. 6d. about 2¼ cents a mile, and there the steamer *Morning* lay to carry passengers to Barrie, Beaverton and Orillia. From Orillia there was a stage line to Sturgeon Bay, where the steamer *Katoolah* waited to take passengers to Georgian Bay ports, Bruce Mines and Sault Ste. Marie. A contemporary account of a journey northward from Toronto contained the following sentence with reference to the stations at Thornhill, Richmond Hill and King: "It is an interesting thing to see these stations in the middle of the forest with only a few houses in sight, and a little building set down at the side of the road for the accommodation of passengers and officials."

Construction work was completed on the section of the Great Western

line, connecting Hamilton and Niagara Falls in the autumn of 1853. The first train ran on November 1st. It consisted of six cars containing a large company of guests who were to celebrate the great occasion by a dinner at the Clifton House. The last few miles of the journey were accomplished in carriages, owing to a break-down of the locomotive, but the dinner was achieved—and the convivial exercises which followed.

The beginnings of the railway system of North America were marred by frequent accidents. Light rails, inadequate grading and metalling, small and ill-balanced locomotives and cars of flimsy construction made any attempt at high speed dangerous. Train-despatching was imperfect and officials naturally lacked experience. On October 17th, 1853, near Richmond Hill, a Northern train left the track and rolled down the bank. In view of the present-day cost of an accident it is startling to learn that the damage amounted to at least $3,000. On November 30th the southern section of the Buffalo and Goderich line went into operation, and on December 15th trains began running on the section of the Great Western between Hamilton and London.

In September, 1855, Hon. Francis Hincks, speaking at London, intimated that the Grand Trunk Railway did not intend or desire to establish its terminus at Sarnia, but rather at London, leaving all business west of that point to the Great Western line. This utterance stirred the Toronto City Council to protest. The City had consented to the amalgamation of the Grand Trunk and the Toronto and Guelph Railway on condition that the railway should be constructed by way of Guelph and Stratford to "the waters of Lake Huron on the St. Clair River at Port Sarnia," and had invested £100,000 in the stock of the Grand Trunk Railway with that connection in mind. The aldermen did not mince their words in dealing with the apparent effort of the Company to avoid its obligations, and Council instructed the City officials to warn the Railway Company and to take "such steps as might be necessary to protect the City's interests."

During the early summer of 1855 work was pushed on the Hamilton and Toronto Railway. By the 5th of June when the annual meeting of the Company was held, all the grading from Hamilton to Port Credit had been completed, steel was laid for twenty-three miles, and about half the necessary bridges were completed. Communication between the two cities was established on December 3rd and the event was celebrated three weeks later by a luncheon in the hall adjoining the main building of the station on Front Street. It was followed in the evening by a public ball. The line was a branch of the Great Western Railway.

During the week of November 10th, 1856, the City of Montreal had a colossal celebration to mark the completion of the Grand Trunk Railway between that city and Toronto. There were ten cars of guests from Toronto, drawn by two engines, and the journey down occupied fifteen hours, as compared with nine hours, the present running time. There was a subsequent breeze in the Toronto City Council over the expense account of

the civic delegates — $485 for what *The Globe* called "champagne and oysters."

March 13th was the date of a railway accident which caused the death of over 60 persons. A Great Western Railway train was crossing the swing bridge over the Desjardins Canal at Burlington when the timbers gave way. The engine, tender and two first-class cars fell to the ice below. In September of the same year there was a public meeting in Toronto to urge that the western territories of the Hudson's Bay Company should be acquired by Canada and opened for settlement. Interest in this question was intensified by the discovery of gold in the Fraser River. On July 23rd, 1858, *The Globe* said: "The settlement of the Pacific Coast by the British people will inevitably lead to a demand for communication across the Continent, which can be applied through our territory much better than by that of the United States. We look to see the fertile prairies of the Saskatchewan traversed by the iron horse within a very few years." A generation elapsed before that prophecy was fulfilled.

The Suspension Bridge at Niagara, opened August 9th, 1848, was the wonder of the time. A few details of the construction were given in a contemporary newspaper: "The Towers are 60 feet high, 15 feet square at the base and 8 feet at the top. When this bridge is covered with a train of cars the whole length, it will sustain a pressure of not less than 405 tons. The speed is supposed to add 15 per cent. to the pressure; equal to 61 tons. The weight of the super-structure added, estimated at 782 tons, makes the total aggregate weight sustained 1,273 tons. Assuming 2,000 tons as the greatest tension to which the cables are likely to be subjected, it is considered safe to allow five times the regular strength, and provide for a weight of 10,000 tons. For this, 15,000 miles of wire are required." The span of 800 feet was at that time the greatest ever attempted. The suspension bridge at Lewiston was built in 1850 and carried away by an ice jam in 1864.

Robert Stephenson, the great English engineer, was in Canada in 1853 reporting on the project of building a bridge across the St. Lawrence at Montreal in connection with the proposed Grand Trunk Railway. At a dinner in Montreal he warned the public men to be careful in providing legislation for the construction of new lines, so that the mistakes of Great Britain might be avoided. He said that of £300,000,000 expended in the United Kingdom on railways at least £60,000,000 had been wasted. Such advice was not too pleasing to promoters and to the optimists of every community. Certainly it was not followed, for a considerable number of municipalities bought stock in private companies with more generosity than judgment. City of Toronto debentures were issued in 1852 for £90,000 to purchase stock in the Northern Railway and in the proposed line from the city to Guelph.

## CHAPTER XIII.

### APPROACHING CONFEDERATION

The British Navigation Laws, which had their beginning in the Commonwealth and were amended and settled in the reign of Charles II., provided that a foreign ship could carry to British territory only the genuine products of the country to which that ship belonged. All other foreign goods had to be imported in British ships, the master and three-quarters of the crew being British subjects. The China trade was entirely in British bottoms for Chinese ships capable of long voyages had not yet appeared. The coasting trade was reserved for British ships. At the time of the Napoleonic wars Nelson as a post-captain enforced the Navigation laws in the British West Indies where American vessels were trading, with the consent of the Governor and the studied neglect of the Admiral on the station. His wilful performance of his duty as a Naval officer brought him much annoyance until his action was approved by the Admiralty. For seven weeks he was confined to his ship to avoid being served with a writ on behalf of West India merchants. After 1794 the conditions were eased in some degree.

In 1846 the danger of a food shortage in the United Kingdom compelled the Government to remove the duty on wheat and to suspend and finally in 1849, to abolish the Navigation Laws. In consequence, American vessels were free to bring cargoes to Upper and Lower Canada, no matter what the origin of the goods might be, but the coasting trade remained a preserve for ships of British registry. An American schooner might carry a cargo from Lewiston to Kingston but it could not take on freight at York for Kingston. The restrictions as to the manning of British ships were abolished in 1853, and in 1854 the coasting-trade was thrown open to foreign vessels.

When Sir Robert Peel announced on January 27th, 1846, that Free Trade was to be the fiscal policy of Great Britain, Isaac Buchanan, M.P.P. was in England. He wrote a letter of protest to *The Times* in which he said: "Any hint from England of a desire for separation (from the Empire) will be cheerfully responded to by the people of Canada who will be writhing under the feeling that England has dishonourably broken the promise of Protection to Canadian wheat and lumber made by every Ministry from the timber-panic of 1806 downward."

Lord Cathcart, who succeeded Metcalfe as Administrator, had given a warning, but his protest to Mr. Gladstone did not reach England until weeks after the announcement of policy had been made. In his letter he declared that if Free Trade were adopted the St. Lawrence canals just completed at heavy expense, would be comparatively worthless, the export trade of Montreal injured, and the Colonies practically ruined. In this he

was not far wrong as events proved for trade dwindled in an alarming manner. Complaint was made in the Maritime Provinces as well as in the Canadas that Great Britain had been neglectful of Colonial interests by abandoning Protection for the advantage of the United States without securing as a makeweight free exchange of Canadian and American goods. When the British Parliament in the Session of 1846 passed an Act permitting the Colonies, with the approval of the Crown, to make their own tariff arrangements with foreign countries, the first effect was to start a movement for Reciprocity. W. H. Merritt moved in the Canadian Parliament for the opening of negotiations with Washington. In 1848 the American House of Representatives approved the principle. The project went no further for the time because I. D. Andrews of the American Consular service urged that the Maritime Provinces should be included, and that the United States should ask for the free navigation of the St. Lawrence and the St. John Rivers. Andrews who had been United States consul at St. John, made an exhaustive study of the commercial situation of both countries and never ceased to advocate a reciprocal arrangement.

Domestic broils over slavery turned American attention away from the question in 1850 and Sir Francis Hincks took action to stimulate intercolonial trade. He also recommended the taking of measures to protect the fisheries from American poachers. This firm stand, with the actual presence of British and Canadian cruisers off the Nova Scotian coast was instrumental in bringing about a renewal of the negotiations. In 1853 President Pierce and Wm. L. Marcy, Secretary of State, met the British Minister and drafted a treaty which gave the subjects of both nations the right of inshore fishing, provided reciprocal free trade in grain, flour, meats, and raw materials of many sorts, granted free navigation of the St. Lawrence river and canals to Americans, and of Lake Michigan to British subjects. Timber cut in Maine could be floated down the St. John River and the Washington Government agreed to urge the State Governments to secure to British subjects the use of the several State canals on terms of equality with Americans.

The task of securing agreement by the British Provinces was aided by Mr. Andrews, and Lord Elgin went to Washington in 1854 determined to win over the Democratic recalcitrants in the United States Senate. Dr. Adam Shortt says: (*) "A complete narrative of the putting through of the Reciprocity Treaty would involve many picturesque details. There was much journeying to and fro, carefully planned interviews, elaborately organized press campaigns, dinners galore with unlimited champagne, serving as a meeting ground for many important people who desired to impart or receive light on the subject. Lord Elgin, while on his special mission to Washington accompanied by Francis Hincks, then Canadian Prime Minister, was the central figure at many of the most notable of these dinners....Thanks to his diplomatic skill and charming personality

*Canada and Its Provinces, Vol. V., p. 242.

the treaty was passed. Oliphant, Lord Elgin's secretary, said on one occasion to the Governor: 'I find that my most intimate friends here are Democrats.' 'So do I', said Elgin, dryly."

The tradition that the determination of the Democratic senators was melted into easy complaisance by the sunshine of Lord Elgin's manners is interesting, but there is reason to believe that the stern opponents of the Treaty were eager to be convinced; that it pleased them not to wear the heart upon the sleeve—in a word that the diplomatic success was with them rather than with the Noble Lord.

As to the effect of the treaty, the exports of the Province of Canada to the United States rose in the first year after its proclamation from $8,-649,002 to $16,737,277, but did not greatly increase in subsequent years until 1866 when they were $34,770,261. The imports of American goods rose from $11,782,147 in 1853 to as much as $20,000,000. The biggest record was in 1862—$25,173,157. The arrangement was completed on June 5th, 1854, but it was not to come into full effect until ratified by the Colonial Legislatures. Mr. Marcy requested that pending the ratification, the American fishermen should be permitted to enter upon the inshore fisheries in as full and ample a manner as they would be when the treaty came into force. The concession was yielded and the British and Colonial cruisers withdrawn. When the Colonies claimed the free entry of their products, pending the ratification of the treaty, in return for the British concession, this reasonable claim was denied. That is to say, the Americans had the advantages of the treaty for nearly a year before ratification by the United States gave Canada a chance.

Until the treaty was effected in 1854 Canada suffered seriously; even afterwards the public revenue was in anything but a healthy state and only a sharp increase of Customs duties made by Hon. A. T. Galt in 1858 balanced the Budget. The feeling that the dominant politicians of England had betrayed the interests of the Colonies and were seeking to break up the Empire long persisted amongst business men of Montreal and Toronto. Speaking in 1863 at Toronto Isaac Buchanan said: "England herself has succumbed to a faction whose cry was Perish the Colonies rather than our theory. The adoption by England for herself of this transcendental principle has all but lost her the Colonies. Though pretending to unusual intelligence the Manchester school, like our Clear Grits, are as a class as void of knowledge of the world as of patriotic principle. They do not know that free trade is the contrary principle to that of Empire. They do not know that if you take every dirty child off the street and treat him like your own child your own child will very soon come to see that he is treated only like the dirty child, and very soon will be unable to feel differently from the dirty child. Your own child will soon experience that it is a levelling down, not a levelling up."

Within the ten years of the duration of the Treaty came the American Civil War and in its train a bitter feeling towards Great Britain due to the

*Trent* Affair, the *Alabama* ravages, the sympathy towards the South shown by a portion of the English governing class, and the activity of southern spies and filibustering gentry living in Canada. The increase in the Canadian Tariff had given proof that American Manufactures might not have full and free course north of the Border, and for these and other reasons it soon became apparent that the Treaty would not be renewed. The question came under review at a Commercial Convention held at Detroit in July, 1865. Among the guests was Hon. Joseph Howe who was invited to put the Canadian case before the meeting. His Speech (*) on that occasion was plain spoken as well as eloquent. A few extracts follow:

"Your vessels are permitted to run to Halifax, from Halifax to St. John, from St. John to British Columbia, to England, Scotland and Ireland. They are allowed to go coasting around the British Empire till they rot. But you do not give us the privilege of coasting anywhere from one end of your Atlantic Coast to the other.

"The Reciprocity Treaty was a compromise. For the Provinces it was an unfair compromise. The right of registry and to trade coastwise was not conceded.....Again, when Civil War broke out one-half the seaboard of the United States was blockaded and all the advantages of the Reciprocity Treaty, so far as the consumption of the ten millions of people in the Southern States was a benefit to the Provinces, were withdrawn. Recognizing the political necessities of the period British subjects have made no complaints of this exclusion, but it ought to be borne in mind now that the whole subject is about to be revised.

"Concerning the charge that Canada was unfriendly towards the North during the Civil War, Mr. Howe said: 'For one ton of goods sent to the Southerners and for one young man sent to aid their cause, we have sent fifty tons and fifty able-bodied soldiers to the North.' He spoke with feeling of the great number of Canadian boys—including one of his own sons—who had fought for the North with credit to themselves.

"I have heard it uttered that if the Reciprocity Treaty is annulled the British Provinces will be so cramped that they will be compelled to seek annexation to the United States.....No consideration of finance, no question of balance for or against them, upon interchange of commodities can have any influence upon the loyalty of the inhabitants of the British Provinces or tend in the slightest degree to alienate the affections of the people from their country, their institutions, their government and their Queen. If any member of the Convention harbours the idea that by refusing Reciprocity to British America they will undermine the loyal feelings of the people of those Colonies he is labouring under a delusion, and fostering an imputation upon the character and integrity of a great and honourable people."

Hon. A. T. Galt published a pamphlet in England during the year 1860, entitled "Canada; 1849 to 1859." In this essay which was a calm, well argued defence of a Canadian Protective policy, Hon. Mr. Galt pointed out first that Great Britain had recast its economic views in 1846 when by the repeal of the corn laws the productions of Canada were placed on the same footing as those of foreign countries. Not until 1848 did the Imperial Legislature repeal the differential duties upon importations into Canada, and the Navigation Laws were not repealed until 1849. By reason of these

*Published in Hamilton by *The Spectator* Press in 1865.

sudden and revolutionary changes, serious economic ills were brought upon Canada. The canal system of Canada was in a great measure completed in 1846, but with the repeal of the corn laws the Province found itself subject to a debt of $20,000,000, possessing the most magnificent canals in the world, but without any trade to support them, except its own, and opposed to the wealthy and powerful influences of New York and the connections they had meantime formed in the west. By the time the Navigation Laws were repealed the railway era had begun and there was a danger that the competition of New York and Boston might be serious unless Canada also provided railways and improved the St. Lawrence Route. Meantime the Imperial authorities had made the task more difficult by subsidizing the Cunard Line of steamers to American ports. On this point Mr. Galt said: "The original establishment of this steamship line was unquestionably of great benefit, but the persistent renewal of the contract when the necessity for it had ceased and when its injury to Canada had been demonstrated is a grave cause of complaint and has forced upon Canada the adoption of measures for the maintenance of direct intercourse with Great Britain, carrying on her own trade through her own waters, and by her own ships. To remedy the evil effects of the policy of England, Canada has been obliged to subsidize a weekly line of steamships of her own, at an expense of £45,000 per annum, and it is a subject of the highest gratification to know that the advantages of the St. Lawrence route to Liverpool are at length being thoroughly understood and appreciated."

In order to encourage the construction of railways by private capital and prevent the strangling of Canadian export trade by American competition the Canadian Parliament in 1849 passed an Act pledging a six-per cent. guarantee on one-half the cost of all railways of 75 miles in extent. In 1852 this law was repealed and the guarantee confined to one-half the cost on one main trunk line of railway throughout the Province. "In 1852 the Grand Trunk line from Montreal to Toronto, and from Quebec to Rivière du Loup was incorporated as part of the Main Trunk line, with a stipulated advance by way of loan of £3,000 per mile, the line from Quebec to Richmond having already been commenced as part of the main trunk line under the original Act." In ten years 2,093 miles of railway were constructed at a cost to the Province of £4,161,150.

Hon. Mr. Galt pointed out that the direct debt of Canada had reached the total of £9,677,672; of this sum £3,962,900 had been expended on canals, lighthouses and other works connected with the development of navigation on the St. Lawrence, and £788,350 represented the building of roads and bridges and the improvement of rivers. Crop failures and hard times in 1857 and 1858 seriously affected the public revenue and at the same time heavy and unforeseen capital outlays were demanded. When he came into office as finance minister in 1858 he faced a deficit of no less than £500,000. By the adoption of his policy "the present Government of Canada has maintained the credit of the country unimpeached, and

has, within less than eighteen months so far succeeded in reducing the expenditure and increasing the revenue of the province that the expenditure of the year now closed will be found to have been nearly if not quite within the income."

"The increase of taxation," continued Mr. Galt, "is never a popular step and it may well be believed that no Government would adopt it without the strongest conviction that good faith demanded it. It is unpleasant enough to be exposed to attack in Canada for an unavoidable increase in duties; but it is certainly ungenerous to be reproached by England, when the obligations which have caused the bulk of the indebtedness of Canada have been either incurred in compliance with the former policy of Great Britain or more recently assumed to protect from loss those parties in England who had invested their means in our railways and municipal bonds." And again: "It certainly appears singular that Canada should be reproached with a departure from sound principles of finance when in order to pay her just debts she imposes higher duties on the articles she herself consumes, when in England itself the same means are resorted to, and no less than £28,000,000 sterling obtained from customs duties and £17,000,000 from excise. If in Great Britain where such an enormous amount of realized wealth exists, it has only as yet been found possible to raise one-sixth of the revenue by direct taxation, it need require no excuse if Canada has to raise her revenue almost wholly by indirect means."

By 1860, the railway fever which had swept from town to town like the plague was beginning to subside. Municipalities which had been permitted by the Government to borrow large sums for investment in Railway stock suddenly discovered that the prospect of immediate dividends was rather remote, and that in all probability the annual charges on debentures issued for stock-buying purposes would come out of the taxpayers. The Government had made no restriction on municipal borrowing. On the contrary it had enacted the Consolidated Municipal Loan Act (1852) which encouraged reckless borrowing "for the construction of Court Houses, Jails, Harbour works, Railways and other enterprises of importance to the convenience or the necessity" of the communities. The Province undertook to borrow in England at 6 per cent. on the security of debentures issued on the credit of a Consolidated Municipal Loan Fund, and to loan this money to the municipalities at 8 per cent. The difference of 2 per cent. was to provide for the expense of administration. Cobourg borrowed $500,000. Guelph became liable for $120,000, Woodstock and Stratford, $100,000 each. Many municipalities found themselves involved in obligations difficult to discharge. But the Government was a too-lenient creditor and when this fact was observed many municipalities refused to trouble themselves any further. The control which the Party in power was able to exercise over debtor municipalities was a fruitful source of corruption.

A list of Toronto schooners engaged in the grain-carrying trade on

Lake Ontario during 1860 may give a glimpse at an old-time traffic which railway development finally wiped out. In those days every little port around the Lakes had a wharf and warehouses for use rather than for ornament. The names and carrying capacity in bushels of these Toronto schooners were: *Son and Heir,* 12,000; *Omar Pasha,* 14,000; *Marco Polo,* 9,000; *Northerner,* 9,000; *John A. Torrance,* 10,000; *J. G. Beard,* 12,000; *Australia,* 8,000; *Isabella,* 10,000; *Coquette,* 10,000; *Royal Albert,* 10,000; *Flying Cloud,* 7,000; *Sarah,* 12,000; *Sardinia,* 9,000; *George Laidlaw,* 8,000; *Charm,* 5,000; *Alliance,* 12,000; *Paragon,* 9,000; *Arabian,* 8,000; *Resolute,* 4,000; *Echo,* 2,000; *George Henry,* 3,000; *Olivia,* 7,000; *Oddfellow,* 4,000; *Perseverance,* 6,000; *Josephine,* 6,000; *Canadian,* 9,000; *Almeda,* 7,000; *Atlantic,* 3,000; *Caledonia,* 7,000.

The combined burden of all these little sailing craft would about fill one hatchway of the modern Upper Lake steamer.

The first street railway in Upper Canada was built in Toronto. A line up Yonge Street was first completed and there was a suitable celebration on September 10th, 1861, beginning with a *déjeuner* at Yorkville, at which the members of the Toronto City Council fraternized with the Solons of the sleepy northern village centred at Bloor and Yonge Streets. The first car was hitched up at 4 in the afternoon and went jingling away, the Artillery Band sitting on the roof and playing spirited airs. Twice the caravan was derailed before it reached the city, but the young men and boys on the car soon made matters right.

On February 1st, 1854, the Parliament Buildings in Quebec were burned and a convent was rented as a temporary place of assembly. This building in turn, was destroyed by fire on May 3rd, and the Music Hall was secured for the public business. There was a general election in July, which resulted in the defeat of the Hincks Ministry and the formation in September of the MacNab-Morin administration. The inclusion in this Ministry of men of both parties gave rise to the name the Liberal-Conservative party.

On July 12th, Hon. L. H. La Fontaine and Chief Justice Robinson were created Baronets and Hon. Robert Baldwin became a Companion of the Bath. The end of the year saw the close of Lord Elgin's term as Governor-General and the arrival of Sir Edmund Head.

A political era ended in 1854 when the Clergy Reserves were secularized by Act of Parliament. The Bill passed the Assembly on November 3rd by a vote of 62 to 39 and on December 10th the Legislative Council assented unanimously to the project. Politicians who had depended for their munitions upon the question of the Reserves, demagogues who had played upon the passions of the people, suddenly found themselves with nothing of vital importance to say. Of course they could advocate Reform and Retrenchment, a delightfully vague formula, and they could continue the denunciation of their opponents, as they did; but they did not succeed in rousing the electorate to more than a momentary interest. The people, with the

Reserves question disposed of, abated their concern for public affairs. The result was the sporadic appearance of minor and major political scandals, the stirring up of racial jealousy as between French and English, and a period of partial deadlock as between the parties which did not end until after Confederation. The Upper Canada delegation had a continual complaint against the Administration on the Seat of Government question. The original plan of making Toronto and Quebec joint capitals was carried out unfairly; two years at the one place, four years at the other. The reference of the question to Queen Victoria was denounced by Oppositionists of both Upper and Lower Canada, as a dodging of responsibility on a major question. When her Majesty selected Ottawa in 1857, there was complaint from all parties. The Government under John A. Macdonald, and Georges Etienne Cartier, stood firm, realizing the common sense of the suggestion, but every civic patriot in Toronto, Montreal, Quebec and Kingston was bubbling over with scorn and indignation.

The Legislative Union of Upper and Lower Canada was based on equality of representation in Parliament. The original reason for that equality was found in the belief that Lower Canada would always have the larger population and that safeguards ought to be provided for the English-speaking minority. A rush of immigration to Upper Canada during the '50's, and the construction of railways from one end of the Province to the other, soon put Upper Canada in the ascendant and the English-speaking people began to find the Union galling. George Brown began calling for a revision of the constitution on the basis of Representation by Population. On the other hand Georges Etienne Cartier and every other French-Canadian public man found the equal representation a bulwark behind which the minority (now French) could rest in peace.

The agitation of George Brown therefore was hotly resisted by Quebec. Only slowly did it waken the interest of the people. The election of Mr. Brown as Member of Parliament for Toronto was due more to Orange approval of his anti-Catholic attitude than to any definite disapproval of the Government policy. Brown was always serious. For that reason he was at a disadvantage in his long quarrel with John A. Macdonald. The Tory chieftain could fight and laugh at the same time. He must have laughed over the "double shuffle" of 1858, the "smoothest" political trick in the annals of Canada. There was a reorganization of the Ministry and the portfolios were re-distributed. To avoid a bye-election the Ministers resigned their new posts and were immediately re-appointed to the portfolios they had formerly held.

The visit of the Prince of Wales was the great event of 1860. Before the arrival of His Royal Highness there was a virulent newspaper debate over the official decision that there could be no Royal recognition of the Orange Order, since it was a sectarian society, under official displeasure in London. Upper Canada had watched with interest the progress of the Prince from Quebec to Montreal and some vexation had been created

by the reports of his visits to Roman Catholic institutions. Then it was that an Orange leader conceived the unhappy idea of preserving Protestantism by public Orange demonstrations of loyalty to the Throne.

The Prince went from Montreal to Ottawa on August 31st by the river route—and no more charming prospects can be found than the Ottawa River affords. After passing the Long Sault portage from Grenville to Carillon he embarked on the steamer *Phoenix* and reached the Capital at seven in the evening. For the last two miles of the journey the steamer had a convoy of 150 canoes manned by nearly one thousand lumbermen in white trousers with red shirts faced with blue. At the wharf Captain Abbott's company of rifles and a detachment of volunteers from Prescott formed the guard of honour, the Port Hope cavalry supplied the travelling escort and as the Prince landed a Royal salute was fired by Major Turner's Ottawa Field Battery. An Address was read by Mayor Alexander Workman, and then in a sudden downpour of rain the Royal party drove to the Victoria Hotel.

On the morning of September 1st, His Royal Highness laid the corner-stone of the new Parliament Buildings. A contemporary account of the proceedings (*) is drawn upon for the paragraphs which follow:

"A great and handsome Gothic arch had been built at the entrance to the grounds and inside at the spot where the ceremony was to take place there was a Gothic canopy, immediately in front of which, and over the stone, was a gigantic crown. Around the stone was a railing painted white. Outside this was an open space for the press and a few privileged individuals, while surrounding this central space, canopy and all, were tier upon tier of seats capable of accommodating several thousands; and all filled. On each side of the road leading to the amphitheatre were platforms for children and for those who could not be accommodated within it, while bands of music, companies of volunteers, hosts of lumbermen in scarlet shirts, Orange Societies from the townships, mounted, and clad in Orange frocks, parties of Roman Catholic clergy, etc., etc., were in their assigned positions in the line of march. The day was fine and the scene, consequently, magnificent.

"Punctual to the hour His Royal Highness arrived, followed by the Governor-General. Soon afterwards came the Duke of Newcastle, Earl St. Germains, General Bruce, General Williams, Lord Mulgrave, Sir Allan MacNab, Col. E. P. Taché (aides de camp to the Queen), Major Teesdale and Captain Grey (the Prince's equerries); all these took up their positions in a semi-circle in which the Prince was the principal figure, the aides prolonging the line on one side and the Canadian Ministers in blue and gold on the other. On the lower side of the stone were Mr. Samuel Keefer, Assistant Commissioner of Public Works; Messrs. Stent and Laver, and Fuller and Jones, Architects; Mr. Morris and Mr. Guest, clerk and assistant clerk of the works. After prayer by Rev. Dr. Adamson, the Prince and the chief members of the suite advanced to the stone. It was of beautiful white Canadian marble brought from Portage du Fort, and on it was the simple inscription: 'This corner stone of the building intended to receive the Legislature of Canada was laid by Albert Edward, Prince of Wales, on the 1st day of September, 1860.'

"It was suspended from the centre of the great crown previously mentioned

*Cellem, *Visit of His Royal Highness.*

by a pulley running around a gilded block. The clerk of works, Mr. Morris, now superintended the spreading of the mortar, which Mr. McLaughlin performed, and to which His Royal Highness gave the finishing touch with a silver trowel, on the back of which was engraved a view of the future building and on the front a suitable inscription. Then the stone was slowly lowered, the Prince gave it three raps with a mallet and the Rev. Dr. Adamson read a prayer. Mr. Morris then applied the plumb which was in the shape of a harp; Mr. Keefer tested the work with the level which was supported by the lion and the unicorn, and then His Royal Highness pronounced the stone laid."

An official luncheon was served in a temporary pavilion, and the Prince returned to the Governor's residence, then situated on Major Hill Park. In the afternoon he ran the timber slide at the Chaudière, to the admiration of attending lumbermen and then observed a series of canoe races from "a barge with a blue silk canopy, manned by half a dozen gentlemen of the city in blue silk blouses and white trousers. There must have been two thousand people in small boats on the water, 2,000 more in the half-dozen steamers which were plying about, and 20,000 on the heights on either side of the shore. In the evening there were huge bonfires which reddened the sky and all the hills."

It was Ottawa's great day, a mediæval spectacle in a modern setting, greatly enhanced in splendour by the natural beauties of the scene. The Prince spent Sunday in Ottawa and on Monday, the 3rd, went to Brockville by way of Arnprior, and Almonte, arriving at eight o'clock in the evening. There were six evergreen arches in the streets and a noble torchlight procession.

Kingston and Belleville Orangemen made all preparations to receive His Royal Highness as a worthy descendant of William III., but the Duke of Newcastle issued a prohibitory order. In case the order was disregarded, he said, the Royal visit would be cancelled. The Orangemen were obdurate. The Duke was no less resolute, and after a wait of many hours in Kingston Harbour (*) the steamer bearing the party turned its prow towards Cobourg. The pro-Orange press blamed the Duke of Newcastle. *The Globe* laid the responsibility upon the Tory Government and its leading spirit, John A. Macdonald. Meantime in the cities mentioned many thousands of people were disappointed, and much lavish decoration was wasted.

At Cobourg the town hall had just been completed and the Ducal Master of Ceremonies considered that the floor of the ball-room must be tested for strength before allowing the Prince to dance upon it. The report was adverse, although Kivas Tully had designed it and knew his business; a number of cedar posts were placed underneath. Dancing continued until three o'clock in the morning, the Prince having fifteen partners in the course of the ball; Miss Beatty, Miss Ewart, Mrs. Reid, Miss

*From Reminiscences by Sir Richard Cartwright: "Many years afterwards I had occasion to be presented to the Prince of Wales at a state ceremony in London, and he inquired with his usual courtesy what part of Canada I came from. I replied that I belonged to a town which I was afraid he would recollect quite too well, in fact that I came from Kingston. 'Ah,' he said, 'It looks well from the water.'"

Fortune, Miss Pringle, Mrs. S. Smith, Miss J. Daintry, Miss Powell of Niagara, Miss Burnham, Miss Bennett, Mrs. Cubitt, Miss Hall, Miss M. Boswell, Miss Gaer and Miss Barron.

In the morning the Royal party went by train to Peterborough and after a reception there, to Port Hope. Only four days' notice was given of the intended visit and the people with one accord threw themselves into the work of decoration. The result of their labours was most commendable. In the town hall where luncheon was served the walls were hung with wreaths of evergreen and festoons of flowers, while against the east wall was a crown of crimson green and gold in which glistened jewels of snowdrops and mountain ash berries. All the streets and practically all the private houses were decorated. The party made a brief stop also at Whitby.

The Prince arrived in Toronto on Friday, September 7th, by the steamer *Kingston*. A great crowd was massed on the Esplanade and the school children, in their best bibs and tuckers, sang the National Anthem with shrill enthusiasm. Then followed a procession to Government House.

A most happy account of the week's festivities is found in The London *Times* of September 25th and 27th, 1860. The special correspondent of that exalted newspaper, Mr. Woods, may well be considered as a detached and unprejudiced observer, since he travelled with the Royal party, and by the time Toronto was reached was frankly weary of formal addresses, Princely replies, balls and celebrations of all sorts. There is a note of humorous complaint in his letters, particularly relating to the weather. With respect to the attitude of the Orangemen, he was like other official visitors in a state of puzzled wonder which was reflected in the elaboration of his despatches on this point. He could not know, naturally, of the long and bitter contest to keep the Colony away from Republicanism, in which the Orange Association had steadily taken the British side. He could not enter into the thoughts of the Loyalist of Ulster ancestry or appreciate what he considered as an unnecessary affront by stilted officials.

After the Royal Party had declined to land at Kingston because of the erection of an Orange arch of welcome, a compromise was effected in Toronto. The *Times* report continues: "It was agreed that the Orange demonstration should take place at 2 o'clock and be over by 3, an arrangement to which everyone consented, as His Royal Highness was not expected to land before six or seven o'clock. Before this decision was reached, however, the Orangemen had erected an Orange arch in the main street under which the Prince would have to pass on his way through the town. It was not colored orange, being erected to represent the gates of Londonderry, but it had several Orange insignia on it, with a transparency of King William III. crossing the Boyne, with the figures 1688 and the motto 'the glorious, pious and immortal memory of King William III.' These transparencies were placed on both sides of the arch, while the top was surmounted with the usual Orange emblem of a Bible and Crown and its accompanying motto, 'These we maintain.'

"Of course the Governor-General and the Duke of Newcastle heard of this arch and Mr. Wilson, the Mayor of Toronto, was at once written to and informed that the Prince would pass under no Party memorials of this kind. The Mayor immediately replied that the Orange insignia would be removed, and that the Orangemen had consented to take down the transparencies of King William with their Party motto, substituting transparencies of the Prince of Wales. The change was to be made in the night."

After the Mayor's letter was sent the Orangemen changed their minds. When the Royal Party arrived the arch had not been "edited" in the slightest degree. The carriage containing the Prince and the Duke passed under and His Grace, having his back to the horses discovered the fact a moment too late. He was exceedingly warm on his arrival at Government House, sent for the Mayor, and presumably, rated him vigourously—for His Worship afterwards referred to "the painful interview" of the 7th of September. The City Council just escaped being wholly ignored but apologies were forthcoming and the dudgeon of His Grace died down. Nevertheless on several occasions during the stay in Toronto the Duke was pointedly criticised—aloud. On Sunday after the service at St. James's the criticism flowered into unmistakable hooting. One more triumph the Orangemen had. The Royal Party went to Collingwood by the Northern Railway on Tuesday, September 11th. Near Bradford an Orange arch spanned the track and of course the train went under it. The whole quarrel was petty and foolish—discourteous to the Prince on the one side, and unnecessarily high-handed and insolent on the other.

The *Times* correspondent's report continued: "The decorations of Toronto were exceedingly beautiful. At the landing place a pavilion had been erected surrounded with a wide amphitheatre of seats, with a magnificent lofty arch in the centre which cost upwards of $3,000. The main street, too, was a perfect arcade of arches, having in the centre where four streets meet, a trophy which deserves special mention. It was in shape like the old Market Cross at Salisbury, or the peculiar vaulted arch which supports the spire of Salisbury Cathedral. It was composed entirely of pine covered with rough pine bark. Where the four ribs of the arch met in the centre, over King Street was a magnificent Crown almost large enough to accommodate a dinner party inside it. All the ribs of the arch were covered with sheaves of ripe corn. At the corners whence the arches sprang were tall, waving plants of Indian corn, with large openwork baskets filled full of melons, apples, peaches, grapes, with other fruit and vegetable products of the Colony which are just now in full season. Altogether the whole idea, as a kind of autumnal harvest-home welcome was admirable, and the beautiful lines of the arch enabled the effect to be carried out to the best and most poetical advantage.

"As the Prince came to the landing place all the amphitheatre was filled with ladies and gentlemen, the lower seats being occupied by 3,000 children dressed in white. As His Royal Highness stepped on shore all these infant

voices broke out with the National Anthem, and the effect of the whole scene—the dark, gloomy sunset over Lake Ontario, the cheering of the crowd outside, just heard over the strong, solemn chorus of the children, the flags of the arches and the dim illumination of the city in the distance, along the streets of which the crowds were running with a great rush by thousands—all made it one of those pictorial and poetical displays which no description however vivid can recall. An address was presented by the civic authorities which there was considerable difficulty in reading, even with the aid of lights for the night had now fallen, and was dark and windy.

"The greatest blaze of light which was shed on the subsequent procession was at the Rossin House, the principal hotel in Canada, where many of the Royal Suite were to stay, and which was illuminated from top to bottom as if it were on fire.

"Saturday, the 8th of September, was fixed for a grand review of the volunteers but the weather was in the highest degree unfavourable and only the levee took place. On the evening of the 8th, after the banquet at Government House, His Royal Highness held a reception at Osgoode Hall. This Hall, which like all the other buildings at Toronto is a really magnificent structure, is at once both the Middle Temple and Westminster Hall of Upper Canada. The external features of the architecture much resemble on a smaller scale the noble entrance to the British Museum.....In different parts of the building the various Courts of Law are situated, all loftier, more commodious and better ventilated than those of Westminster Hall. One side of the Hall is entirely occupied by a splendid Library and in this, as the largest apartment a raised dais was placed for the Prince."

After describing the presentation of an address by Mr. Cameron, Treasurer of the Law Society, and the other formal features of the occasion, the correspondent of *The Times* continues: "Dancing was commenced in the library with some eight or ten sets of quadrilles. Spacious as this apartment was, it was too limited to accommodate all who wished to dance; so, as there was plenty of bands, auxiliary polkas and waltzes were soon formed in all the learned nooks and corners of the building. Courts of Common Pleas and solemn Halls of Convocation resounded with galops, music, laughter and the little whisperings of half-concealed flirtations. The Prince as usual danced every dance till nearly twelve o'clock."

The excursion to Collingwood was a succession of addresses; at Aurora, Newmarket, Bradford, Barrie, while at almost every station a crowd was assembled to see the Prince go by and to give him a cheer. The special train of four cars was rather remarkable for the times; the private Royal car being decorated by crowns, Prince's plumes, and the maple leaf, and finished as a drawing room. The train was in charge of Conductor J. Harvie and the engines used were the "Cumberland" and the "Morrison" driven respectively by Mr. Tillinghurst, and L. Williams. Poppenberg's German brass band of Buffalo was on board the train and there was a company of guests which included two gentlemen from Pittsburg who had

come as an official deputation to invite the Prince to visit the young city around the old Fort Pitt. After the reception at Collingwood the steamer *Rescue* (Capt. Jas. Dick) took the visitors on board for a sail on Georgian Bay; the special train left for Toronto between three and four in the afternoon.

The following Tuesday, September 11th, after the return of His Royal Highness from Collingwood is thus described by *The Times*: "This was a day set apart for an inordinate number of grand festivities. It rained—of course it rained, and nothing but bedraggled and bemired processions were to be seen about the streets all day. The first festive effort was a regatta at which, as usual, without the slightest preconcerted signal a crowd of small yachts stood out into Lake Ontario and disappeared in the rain. This interesting ceremony over, the crowd left them to their own devices, and, all roofed in by umbrellas went splashing and squattering through the mud to another grand celebration—the inspection of the volunteers. On this latter event I must really drop the veil. An inspection is not an exhilarating ceremony and when to its natural drawbacks must be added the fact that the 'troops' were short of a strong regimental company, that the spectators under their *parapluies* looked as muddy and damp as a group of fungi; that the ground was little better than a dilapidated watercourse, and that everybody was in a hurry to get home and change their clothes, I think I have told enough. Waving handkerchiefs to the Prince that have occasionally to be wrung dry has not a cheering effect and the aspect of crowds of countryfolk come in for a great holiday, standing up to their ankles in slush, cheerless, dripping and weary, has on the whole rather a depressing influence than otherwise."

The correspondent must have been really wet and uncomfortable as he trudged from the Review of Volunteers to the Queen's Park, newly acquired by the City from the University authorities. He says: "So with the opening of the Park (which it would have been an act of humanity to shut on such a day) the rain was heavy and incessant, driving in eccentric rushes under umbrellas and bouncing off the ground with such violence that it seemed to be coming up as well as down. Here His Royal Highness laid the foundation stone of a statue to the Queen....A hurried lunch over, the Prince had to start again to visit the University, which like all the other public buildings in this city is a spacious and handsome structure and one which would do honour to either of the Universities in England. Here he was received by the heads of the University and the various professors and conducted through the fine building, signing his name in the students' book....Over the Prince's chair while he remained in the spacious hall to hear the address was the motto 'Imperii spem Provincii spes salutat.' (The hope of the Province salutes the hope of the Empire.)

"From the University the Prince drove to inaugurate the Horticultural Society's grounds. It was not a day for inaugurating anything but ponds, aqueducts and waterworks, but the Prince went to it (*) nevertheless. There

*Modern slang may or may not be modern.

was a magnificent display of fruits and flowers under the tents and a wonderful collection of garden stuff in the way of mangolds and swedes, cucumbers, carrots, squashes and pumpkins, with other vegetable eccentricities of grotesque forms reminding one of lobsters grown upon vines. These the Prince inspected with his suite and then proceeded to inaugurate the grounds by planting a meek-looking vegetable called a young maple tree."

Concerning the Ball which ended the Royal visit the *Times* correspondent said: "It was a beautiful display—better, I think, than that at Quebec, but, of course, infinitely inferior to that of Montreal. It was given in the Crystal Palace Exhibition building (Exhibition buildings are as common in Canada as Government or Parliament houses), and this was as admirably adapted to the purpose as any ballroom not specially built for the occasion ever could be. It was sufficiently crowded to show the anxiety of the people to be present and sufficiently spacious to accommodate all without inconvenience. The Prince as usual danced till four in the morning."

The ladies who were honoured with the Royal hand during the evening were Mrs. Adam Wilson, Miss De Blaquière, Miss Blackwell, Mrs. M. C. Cameron, Miss Killaly, Miss Julia Ridout, Miss Cayley, Miss MacNab, Miss Helen Gzowski, Mrs. J. B. Robinson, Miss Wallace, Miss Young of Newfoundland, Miss Moffatt, Miss McCaul, Miss Harriss, Miss Shanley, Miss Denison, Miss Spragge, Miss S. Jarvis, Miss Murney, Miss Agnes Stewart and Miss Powell. A contemporary newspaper record contained the following paragraph: "One pleasing feature of the dance must not be allowed to pass unnoticed. There in the same set of quadrilles, bearing through their lovely partners, were the Hon. the Premier, M. Cartier, and Hon. George Brown. As they often have stood before, so they stood then—*vis a vis* but smiling and bowing in a polite manner! Who knows what good consequences may result from the pleasing re-union?"

The Toronto newspapers were not particularly pleased with the work of the *Times* correspondent. *The Globe* intimated that while Mr. Woods was in Canada he was "the special guest of Mr. Smooth-and-easy Rose, of the Board of Works (*) and too often reflected the opinions of that gentleman. He was said to be "a mere pen-and-ink landscape painter who knew nothing of public affairs," but the only direct error with which he was charged was with reference to the Orange Arch. It did not bear the mottoes "the glorious, pious and immortal memory of William III.," and "1688." It seemed that Mr. Woods in his correspondence neglected to mention the occasion of the Orangemen's demonstration—the undue attention given by the Royal Party to Roman Catholic dignitaries and institutions in Lower Canada, and the rudeness and hauteur displayed by the Duke of Newcastle towards the governors of McGill University and towards representatives of Presbyterians and Methodists. There was an undertone of

*Afterwards Sir John Rose, London banker, who became one of the financial advisers of the Prince of Wales.

contempt in some of Mr. Woods's despatches, particularly in those relating to the militiamen of Canada. Like many of his countrymen before and since he could not understand how ill-trained and awkward levies could be useful to the country. He could not grasp the incontrovertible fact that the spirit of a good soldier might be found beneath an ill-fitting and rusty tunic, and that an expert rifleman might not be able to keep step in column or line.

On September 12th the Prince left Toronto by a Grand Trunk special train, receiving addresses at Guelph, Petersburg, Stratford and reaching London in the afternoon. Here the celebration was exceptional. On the next morning he went to Sarnia. "The train stopped nowhere on the route; as it runs almost entirely through the woods he saw no crowds of people from the time he left London till he reached his destination." The Prince went through the town of Sarnia, passing under three very fine arches, and was driven in a carriage drawn by four bay horses, and attended by a cavalcade of gentlemen and ladies on horseback to Point Edward to the Grand Trunk Railway station. Here luncheon was served. After a sail on the River the party returned to London and His Royal Highness received at the City Hall, and attended a ball in the evening. The ladies honoured at this dance were Mrs. Small, Miss Beecher, Miss Lawrason, Miss Moffatt, Mrs. Rivers, Mrs. Moffatt, Mrs. Beecher, Miss Prince, Miss Gzowski, Miss Lawford, Miss Dalton, Miss Hope, Mrs. Taylor and Miss Goodhue.

By the Great Western line the party left on the morning of the 14th for Woodstock, Paris, Brantford, Dunnville, and Port Colborne; everywhere the story was the same, cheering crowds and wonderful enthusiasm. From the 14th to the 18th His Royal Highness was on the historic Niagara frontier, admiring the Falls and the Rapids, climbing Brock's monument, laying the corner-stone of the memorial below the hill, and inspecting a notable review of militia. Then he went by steamer to Port Dalhousie, and was tumultuously received at St. Catharines.

The Hamilton celebration on the 18th, 19th and 20th of September was quite as imposing as that of Toronto in the blaze of decorations and the fervour of the people. The Prince inaugurated the new waterworks plant, and visited the Provincial Exhibition. Then he left for Windsor and crossed into the United States where his tour was another triumph.

An enthusiasm which rose at times almost to ecstasy cannot rightly be understood by the superior persons of this over-sophisticated Century. Sixty years ago social rank was more highly regarded than it is to-day, and Royalty of course was the peak of the pyramid. So there was reason for curiosity and excitement, even in the Republican cities across the border. In Canada this same curiosity prevailed but there was something more behind it. One gets a glimpse of Bishop Strachan so much overcome by the cordiality of the Prince on his departure from Toronto that there are tears in those stern old eyes. The common courtesy of a well-bred eighteen

year old boy touched a hidden spring in the Bishop's breast. To him and to many others whose labours had builded this new Kingdom in America loyalty was a sacred sentiment, a great emotion, akin to religious feeling, a commanding impulse dominating every public and private action. Just as the poets of the first Carolinian period were Cavaliers to a man—Milton being the exception proving the rule—so the intellectual leaders of the Upper Canada settlements were moved by the romance of an allegiance which had all the good points of the old feudalism and none of its demerits. Dr. Strachan had lived in Toronto for nearly fifty years, and had laboured to preserve British sovereignty through a great war, a petty rebellion and a succession of radical agitations. Here was the reward—not in the respect and affection of the people he had served, though he valued both, but in the knowledge that "the gracious Queen and Governour" of the Book of Common Prayer had sent her first-born son to say a simple Thank You, to the men who had kept the faith in British freedom and in the glory of the British Throne. The sentiment of Bishop Strachan was not his alone. The lonely settler on the edge of the woods, with a family tradition of loyalty, the British immigrants who had found peace and plenty, the Indians who remembered the day of Joseph Brant and Tecumseh—all were touched with the same emotion. Is it any wonder that their welcome to Albert Edward was deliriously fervent? It was the natural poetry of mankind, the inarticulate epic in every human breast striving for utterance.

Soon after the Prince of Wales and his entourage of writers and attendants had left this Continent the spirit of the Canadian militia was made manifest. The first campaigns of the American Civil War were ended, in 1861 to the apparent advantage of the Southern Confederacy, and the South had a brighter hope of recognition of its Provisional Government by the European powers. Accordingly two diplomatic commissioners, Mason and Slidell, set sail for Europe on the British Steamer *Trent*. A United States warship, the *San Jacinto,* overhauled the *Trent,* removed the commissioners and their papers, and caused an international crisis of the first magnitude. The English newspapers which were favourable to the South called upon the Government to demand an apology for the outrage. The American journals asserted the right of the United States Government to search neutral ships for contraband.

For six weeks there was grave danger of war. In Toronto volunteer companies were recruited by a score of different organizations. The militia regiments were reconstituted. The City Council granted the use of St. Lawrence Hall and the Crystal Palace for volunteer drill. *The Globe* of December 20th said: "If the formation of volunteer companies continues at the same rate as during the last week, by January 1st, 1862, there will hardly be a dozen men in Toronto who will not be associated with the movement." On the following day the Government called out one Company of 75 men from each of the existing Regiments of "sedentary

militia," a muster, on paper, of between 30,000 and 40,000 men. Reports came also from England announcing that the 6th Battalion of Royal Artillery, the 2nd Battalion of the 20th Regiment, the 2nd Battalion of the 16th Regiment, the 3rd Battalion of the 45th Regiment, and a detachment of the 16th Lancers, had been ordered to be in readiness for service in Canada. Meanwhile the Toronto press was reviewing the events of the War of 1812 to kindle enthusiasm, and to show that the project of invading Canada was not as easy as some Americans might imagine.

President Lincoln and Secretary Seward had no desire for European entanglements. The task of subduing the South was sufficient without additional distractions. It was clear also that the Confederate game was to secure European allies by hook or crook. The Government at Washington, therefore, made amends to Great Britain by expressing regret at the action of the commander of the *San Jacinto,* and by releasing Mason, Slidell and their two secretaries. The announcement was made on December 30th, and a dangerous crisis was past. The Canadian militia had shown a fine spirit and a fervent enthusiasm.

Through the long years of the American Civil War the general sentiment of the people of Toronto was heartily in favor of the North, despite the irritation over the *Trent* affair. For many years there had been a strong anti-slavery society in the city, and the frequent performance of the sentimental melodrama, Uncle Tom's Cabin, by Harriet Beecher Stowe, at the Royal Lyceum Theatre, would not have been possible if the friends of the South had been in the majority.

There were some Southerners in the City, refugees from the battle-zone, or adventurers who sought to serve the Confederacy on neutral ground. With these a few ultra-Conservative families of Toronto were in hearty sympathy, but the generality of Canadians, like the generality of English people, naturally found themselves on the anti-slavery side of the controversy. Not a few young men from Canada served in the Northern armies.

On April 14th, 1865, President Lincoln was assassinated by John Wilkes Booth. The news came upon Toronto like a thunderclap. The strong, patient leader of the North had won the admiration of his neighbours as well as of his own people. The stately periods of the second Inaugural were still resounding in the ears and hearts of men. It seemed a thing almost incredible that a man could be found so base as to end a life that had such high promise of usefulness.

All flags went to half-mast. The stores of the leading American residents were closed and arrangements were made for memorial services on the day of the funeral. At a meeting of Americans in Toronto a deputation consisting of Edward Kimball, Mark H. Irish and Ezra C. Carpenter was appointed to attend the funeral in Washington.

Some Southern hot-heads revealed themselves too clearly, as the following paragraph in *The Globe* of April 16th indicated: "It can hardly be believed that men could be so lost to feeling as to exult over such an act as

the assassination of Mr. Lincoln, but nevertheless it is nothing more than truth, for soon after the news of the President's death had been received some Southerners drank the health of the assassin in bumpers of champagne in a public bar-room."

This announcement provoked several replies, tending to show that the best Southern people had no sympathy with any such demonstration. It roused *The Globe* to the following rejoinder: "The Southern refugees who have conducted themselves properly during their residence here have never received a word of censure from us. But those who have behaved improperly—and their number is far larger than their apologists are willing to admit—have no claims to our forbearance. When a ruffian among them assaults a lady in the street simply because her husband has done his duty as a magistrate; when Southern ruffians drive men from places of public amusement simply because they are Americans, or hunt men through the streets for the same cause; when they disgrace our courts by unseemly demonstrations, we take the liberty of speaking of their acts as they deserve."

The City Council on April 18th, 1865, passed a resolution of regret a the President's death and ordered the suspension of business for two hours on the afternoon of the funeral. Only one councillor opposed the motion, a man whose hostility towards the North never varied, and who had knowledge of at least one raiding expedition planned by the refugees against American lake shipping.

The death of Sir John Beverley Robinson on January 31st, 1863, at the age of seventy-one, brought a keen sense of personal loss to all citizens. Even those who remembered the political conflicts of an earlier time and had been in opposition to Sir John, had respect for his fine qualities of mind and heart and undoubtedly considered him the first citizen of Upper Canada. *The Globe* said: "He is remembered by those who had to contend with him as a formidable antagonist, though his kindliness and dignity very seldom allowed him anywhere to be led into embittered personal contests." From noon until four o'clock on February 5th, the day of the funeral, all business was suspended. Despite very severe weather all representative public bodies had delegates in the cortège, which proceeded from Osgoode Hall to St. James's Church, through an immense crowd of citizens. Bishop Strachan was in his place in the chancel. None mourned the loss of the Chief Justice more than he. For fifty years they had been as brothers and comrades in arms, the two most eminent men of the colony.

Dean Grasett was in charge of the service and the anthem was "Blessed are the Dead," from Spohr's "The Last Judgment." The body was laid to rest in St. James's Cemetery, in a vault which the Bishop had given to Sir John in 1848.

As early as in 1838 a Knighthood had been offered to John Beverley Robinson for his services to the Crown. On that occasion modesty had moved him respectfully to decline. The Baronetcy came to him in 1854

when he had made for himself a shining reputation as a Judge, and was in a position to sustain the honour with a proper dignity. In all the relationships of life he was a very great man. As Mr. Justice Riddell properly says, his life was practically the history of the Province.

Times of unrest breed unrest. In the very year that the Southern States flung defiance at the Washington Government the Fenian Brotherhood of America was organized. Its object was sufficiently grandiose—to snatch Ireland from the British Empire and make it a republic. The "fierce dreamers" planned a campaign of anti-British propaganda designed to compel the support of the United States Government—counting on the natural anglophobia of a large proportion of the population, and the apparent friendliness of Official England for the Confederacy. The *Trent* difficulty was their opportunity. Fenianism spread with great rapidity under the direction of John O'Mahony, the "head-centre" of New York, and in Ireland itself a body of determined revolutionists was enlisted under James Stephens.

At first the activities of the society were secret, but soon there were open conventions in New York and elsewhere, and as might have been expected, open quarrels among the leaders. The speeches against the British Government and people breathed threatenings and slaughter, but nothing practical was attempted until the Civil War was ended.

Then great numbers of trained soldiers were available for further adventuring. The Irish needed no incitement. Many of them were already members of the Fenian Brotherhood. Some others being misled as to the sentiments of Great Britain towards the United States, and expecting the sympathy of the American Government, expressed a willingness to fight.

An invasion of Canada was proposed and approved. General Sweeney, with a force of almost 35,000 men, scattered it along the frontier; at Rouse's Point under General Reilly, at St. Alban's, Vermont, under General Spear, at Malone, N. Y., under Col. M. C. Murphy, and at Buffalo under General John O'Neill. Greatly to the surprise of the warriors the United States Government seized a large shipment of arms and equipment which was intended to be used in the expedition. From that moment the crusade degenerated into opera bouffe. But the Irish-Americans are an imaginative people, and have an infinite capacity for serious pretending.

The Fenians pretended that the United States would wink at a filibustering expedition against a friendly neighbour. They pretended that Canada was weary of its British constitution and laws. They pretended that 200,000 Canadians were ready to join an invading force. They pretended that an insurrection in Ireland could succeed. They pretended that without adequate commissariat, and without sufficient arms they could defeat the British regulars and volunteers in Canada and seize the country. Sometimes enthusiasm is akin to madness.

The project seemed to be so visionary that it was not taken seriously in Canada. The newspapers were contemptuous of an Irish Republic function-

ing in a New York house and going through the motions of government. The members of the Administration at Quebec did not dream that an invasion would be attempted. A few military officers, notably Lt.-Col. George T. Denison, expected a raid, but their warnings were not seriously regarded.

Towards the end of May, 1866, the American press despatches mentioned the movement northward towards the Canadian frontier of many hundreds of men. Some came from near Cincinnati, some from the former Confederate States, some from Philadelphia and New York. There was a concentration at Buffalo, but not in the open. Government officials had been warned to prevent any demonstration against Canada, and the United States Revenue Steamer *Michigan* was lying in the river—but not too watchfully. On the night of May 31st-June 1st 1,340 Fenians with 2,500 stand of arms and abundant ammunition, boarded some canal boats at Black Rock and were towed across the river by a tug. Landing at Fort Erie at five in the morning, they cut the telegraph wires, tore up the railway track for some distance from the station, and made requisition on the inhabitants for horses and provisions. Then with most unmilitary precision they went into camp instead of marching northward and seizing the exposed points along the frontier. There was as yet no force to oppose them.

There was nothing wrong with the spirit of the volunteers or of the people. Battalions paraded over-strength for service and so far as could be ascertained there was no Fenian sentiment of any consequence within the Province and City. The Government department controlling militia and defence apparently had neither spirit nor intelligence. It had waited too long in the hope that the invasion would not be undertaken. Then with the raiders standing on Canadian soil it called out battalion after battalion, sending the men forward without blankets, great coats or proper field equipment. The ammunition was old and scarce. The commissariat was unorganized. The quality of the leadership was questionable.

Near Fort Erie a detachment of the Welland Canal Field Battery, without field guns, and of the Dunnville Naval Company, came in touch with the enemy and was forced to give way. At Ridgeway the Queen's Own and the Thirteenth Battalion began a fight with the main body of the Fenians, but did not prosper in it. By some absurd error the volunteers were ordered to prepare for cavalry. They formed in square and confusion was the result. Before the force could be extricated there were 29 casualties. The killed were Ensign McEachren, Pte Newburn, Pte. McKenzie, Pte. Tempest, Pte. Defries, Pte. Alderson, and Pte. Smith. Two were so desperately wounded that they died in a few hours—Sergeant Matheson and Corporal Lackie. The date was June 2nd, 1866.

On the same day—Sunday—word reached the Mayor of Toronto that the men in the field had nothing to eat. His Worship sent word to the various churches. Collections were taken and that very night a train-load of provisions was shipped by the Great Western Railway.

Although the Fenians had been successful in two skirmishes the rapid influx of troops showed them that their enterprise could not succeed, and they determined to evacuate Fort Erie. In attempting to retreat across the river they were captured by the United States ship *Michigan* and were landed in Buffalo as prisoners. The Fenian Raid was over.

The funeral of the fallen volunteers on June 5th was a notable and impressive ceremony. On that same day there arrived in Toronto 56 Canadians of Chicago who had come home at their own expense to offer their services against the enemy. They were commanded by Captain Ford. The City received these patriots with enthusiasm. They were complimented and feted on every side, but when they returned to Chicago most of them found themselves without employment. Fenian influence was against them and more than one employer was threatened if he should dare take back any of these good Canadians.

The names of the Chicago volunteers were: C. T. Wright, John Ginn, B. Baskerville, R. Gilbert, T. English, G. Mackay, R. Mason, J. Cornish, J. Moore, F. Gatrell, T. G. Rice, W. F. Collins, R. S. Shenstone, W. E. Richards, W. Cram, — Skinner, J. Allen, C. J. Mitchell, S. Langford, J. Cavers, S. Ridout, J. Ford, R. McKay, G. B. Roberts,—Hillman, F. Baker, J. J. Innes, C. Rubige, L. Weeden, W. Orr, J. Fraser, J. Wickens, J. G. Kinnear, G. Fitzsimmons, W. H. Rice, G. Morehead, J. Sheppard, W. Beck, L. E. Kingsmill, S. Gordon, E. Smith, G. Mothersill, W. S. Cottingham, H. Ross, G. Kingsmill, J. W. Dunn, S. McCallum, W. Ford, O. S. Hillman, — Healy, C. C. Barnes.

The Queen's Own Battalion was sent to Stratford after the brush at Ridgeway, and returned to Toronto on June 19th. The Tenth Royals arrived home on the evening of the 18th. Both Battalions were given a very hearty public greeting.

Stragglers and human odds-and-ends hanging loose upon the Fenian "army" were picked up by the troops on service and sent to Toronto for safe-keeping. Over four score of these interesting invaders occupied the old jail for several months. Their misfortunes were not bitter in comparison with what might have overtaken them if they had gone filibustering elsewhere, but they complained of lack of interest in their fate on the part of the Fenian leaders.

The trial of the prisoners was under civil process before the Court of Oyer and Terminer, and began during the term opening on October 8th, 1866. Mr. Justice John Wilson in his charge to the Grand Jury said: "I am sorry to say I find a very long list of about ninety cases of a very unusual character, in which most of the accused are said to be citizens of the United States, but a few are alleged to be subjects of Great Britain. These cases arose from an armed invasion of this Province."

Judge Wilson then reviewed the Fenian movement in general and described briefly the events leading up to the raid on Fort Erie. He dwelt at some length upon the sympathetic attitude of many American citizens

and protested against it in the following sentences: "The native-born citizen of the United States seems earnestly impressed with the belief that the American type of a republican government is the very best; he seems to take it for granted that rational liberty can be enjoyed under no other, and that all nations would eagerly adopt it if they had the opportunity of shaking off the governments which oppress them. He appears to discredit the fact that under a monarchical government it is possible to enjoy freedom less trammelled by the tyranny of office than under a republican government. He thinks it impossible that here we can really be devoted to our beloved Sovereign and her Government, a Government which he affects to believe is overbearing, perfidious, and envious of the power and greatness of the American nation. Unfortunately for our peace of mind we have been reaping the fruit of these opinions."

In another part of the charge, His Honour said: "The accused might have been tried by militia court-martial, but it is better they should be tried here by the ordinary course of law. War, its usages and tribunals, are alien alike to our agricultural and commercial people, who would have been shocked when they reflected upon it, that men should have suffered death upon the sentence of a court-martial."

Robert Blosse Lynch, of Louisville, Ky., was the first arraigned. The prosecution was in the hands of Hon. James Cockburn, Queen's Counsel, Solicitor-General for Upper Canada, and there were associated with him Hon. J. Hillyard Cameron, Q.C., Robert A. Harrison, John McNab, County Crown Attorney, James Patterson and John Patterson. The chief defence lawyers in all these trials were M. C. Cameron, Kenneth Mackenzie, and R. Martin.

Those found guilty, and for the most part sentenced to death, were R. B. Lynch, Rev. John McMahon, William Slavin, Patrick O'Neil, William Hayden, Dan Whalen, John Quinn, Thomas School, Thomas F. Maxwell, James Burke, Patrick Norton, John O'Connor, Dan Quinn, John Rogan, P. P. Ledworth, Thomas Cooney, Michael Purtell, Owen Kennedy, John Gallagher, Barney Dunn.

By the time the last of the trials was over the early months of 1867 had passed, and public resentment against the prisoners had died down to some extent. There was no evidence of discontent when the Colonial Secretary commuted the death sentence of Lynch and McMahon, the most important prisoners.

After the settlement of the Clergy Reserves question and the abolition of Seigniorial Tenure the political board was singularly bare. The struggle for great principles of reform dwindled to a scramble for office and the less noble arts of politics were cultivated too assiduously. John A. Macdonald and George Brown were in continuous duel and permitted their public controversy to disturb their personal relations. Brown stormed against Lower Canada and denounced Macdonald for being too complaisant towards the Church and the French race. Macdonald, as the leading spirit of the Gov-

ernment, realized that Quebec was his salvation. It was impossible for either party to secure a majority in both Provinces. Laws for the government of Upper Canada were being passed by a Lower Canada majority—and vice versa—and there was great popular discontent.

On June 14th, 1864, George Brown, as Chairman of a Parliamentary Committee on the constitutional question, reported in favor of a federative system applied either to Canada alone or to the whole of the British North American Provinces. On the same day the Taché-Macdonald Government was defeated and resigned. On June 15th Brown offered to co-operate with any Government which would stand for constitutional revision. So he found himself finally in Coalition with Macdonald and Cartier, ardently advocating with them the larger union which had caught the imagination of the country. He and his colleagues spoke in Charlottetown to urge the Maritime Provinces to enter the Federation, and were members of the historic Quebec Conference of 1864 which formulated the draft constitution. The reasons given by George Brown for supporting Federation were these: Because it will raise us from the attitude of a number of inconsiderable colonies into a great and powerful people; because it will throw down the barriers of trade and give us the control of a market of four millions of people; because it will make us the third maritime power in the world; because it will give a new start to immigration into our country; because it will enable us to meet without alarm the abrogation of the American Reciprocity Treaty in case the United States should decide upon its abolition; because in the event of war it will enable all the colonies to defend themselves better and give more efficient aid to the Empire than they can do separately; and because it will give us a seaboard at all seasons of the year.

Upper Canada was enthusiastic for union and never wavered in its support of the measure, from that day in 1864 when 8,000 persons gave a tumultuous welcome to the Confederation delegates returning from the Maritime Provinces, to the first Dominion Day, when the Province gave itself up to formal and informal holiday-making.

## CHAPTER XIV.

### THE PROVINCE OF ONTARIO

Seventy-five years had elapsed since the toughened veterans of the King's American forces had built their first cabins along the St. Lawrence, since the refugees from the Thirteen States had set themselves to the task of chopping out homes in a British wilderness of hardwood and pine. Within that period the rise of the settlements had been hampered by three years of unequal war and yet, to the overturning of every reasonable expectation, the Province had been held inviolate. Within that period every natural interruption along the chief waterway had been conquered and a thousand miles of lake and river navigation made available. Within that period every considerable settlement between Detroit and Montreal had secured railway accommodation and a bridge had been slung across the Niagara Gorge. Within that period the city of Toronto had arisen, with macadamized streets, imposing public buildings, and gas-lighted show windows; Ottawa had become a Capital and the Parliament Buildings were sitting as a crown upon Parliament Hill. Hamilton, London and Brantford were flourishing towns. Guelph and Galt were sturdy and prosperous. The river towns looked as if they had come to a dignified middle-age. But, best of all, the rural districts had been peopled and the fertile soil was affording a comfortable living to thousands who had fled from poverty across the seas to a land of plenty. Log cabins had been replaced in many districts by spacious houses of clapboarding or of brick; in some cases of stone. A creditable beginning had been made in manufacturing.

Churches had been built everywhere. Queen's University, Victoria College, Regiopolis, St. Michael's, Trinity and the University of Toronto had been established. There was a complete Public School system in operation supported by public funds, and the poorest boy had equal opportunity with his rich neighbour in the class-rooms. Municipal institutions drawing their authority directly from the people had been set up and the Provincial and Federal Governments were directly responsible to public opinion. There was a broader freedom for the ordinary citizen of Ontario than for the citizen of the United States, and a greater opportunity for self-realization than in England. The Province was a complete Democracy and at the same time was bound by the silken but unbreakable ties of sentiment to the British Throne.

That important fact was not realized by the generality of English politicians. Whig and Tory alike were obsessed with the notion that the ultimate fate of the Province was inclusion in the United States, and considered that the recurrent prevalence of discontent among the settlers merely indicated that the time was at hand. To the Whig whose fatuous admiration for the American Republic was an inheritance from Burke and

Fox the absorption of a British Colony in the American Union was regarded as a natural and desirable ideal for the colonists, and a welcome opportunity for retrenchment by the British Chancellor of the Exchequer. The Free Traders found still another reason in favor of such absorption: in the ardour of their economic missionary zeal they remembered that the abolition of a frontier would connote the abolition of Custom Houses—a result so altogether lovely in their eyes that they contemplated it with a sort of ecstasy, wholly oblivious of British national and imperial interests, or of the feelings of the people they proposed to exclude from British citizenship. In the long record of disputes between Canada and the United States, beginning with the first Boundary settlement, the British diplomats never failed to seek the good will of the Republic by extreme concessions at the expense of Canadian interests. Since Great Britain paid the piper it had a right to call the tune but in a good many instances the tune was mere cacaphony in Canadian ears. In these days British statesmen enter into consultation with Canadian public leaders and acknowledge the right of Canada to an opinion on foreign affairs. Such was not always the condition, and irritation caused by a "give all" policy sometimes became extreme. But devotion to the Throne was a traditional sentiment that the tactless conduct of British statesmen could not eradicate, although it tended to the creation of a Canadian national sense that made the inhabitants of this Province "British with a difference".

Confederation as an Idea was almost as old as Canada; Confederation as a Policy appeared suddenly, the result of several immediate causes. The relations between Great Britain and the United States had become embittered over the *Trent* affair and the scarcely concealed sympathy of the English governing class with the Southern States. The North, knowing that the question of Slavery was the real point at issue, was first amazed and then disgusted at the British obliquity of vision. Many American public men threatened that when the Rebellion was quelled the victorious Northern armies would turn towards Canada. In the meantime the Reciprocity treaty would be ended. Thus there was a double cause for the British American Provinces to consider their ways and determine what face could be made to such a menace.

A Federal Union had been discussed in a more or less academic manner in all the Provinces. In Upper Canada it had been approved by a Liberal Convention, but there was no possibility of a mere theory gaining the approval of the Imperial authorities. Nova Scotia in 1862 had gone farther than any other Province by declaring for union of some sort, either of the Maritime Provinces, or of all the British Provinces on the Continent. In response to that official declaration the Duke of Newcastle, Colonial Secretary, wrote that if all the Provinces should concur in asking for Union, there was every likelihood that the question would be seriously considered in England. A copy of his despatch was sent to Lord Monck, the Governor-General of Canada, but the Canadian Cabinet of the time, that of John Sandfield Macdonald, had too much caution and too little imagination to



STATUE OF HON. GEORGE BROWN, TORONTO

seize occasion by the forelock. The question was shelved for two years.

Meanwhile the Parliament of United Canada was little better than a cockpit. English and French glared at one another; *Rouges* and *Bleus* had their private battles; Brown and Macdonald breathed fire and slaughter and their henchmen rattled the political sabre with the heartiest enthusiasm. In three years four Cabinets had been wrecked and there had been two general elections. Government was almost at a standstill; no Party could command the House of Commons. In the early part of 1864 Hon. George Brown moved in Parliament for a select committee to consider the prospects of a Federal Union. The Committee sat, and Brown as its Chairman reported to the House that the feeling in favour of constitutional changes, in the direction of a federative system, was so strong that the subject should be discussed further by a special committee at the next session of Parliament.

On June 14th, 1864, immediately after a Ministerial defeat on a question of no great moment Brown informed Alexander Morris and John Henry Pope, Conservatives both, that he would co-operate with any Government that would settle the constitutional difficulty. He authorized them to inform Macdonald and Galt. On the next day the two political leaders who had never agreed on any public question, and whose temperaments were as far apart as Puritan and Cavalier, met in the middle of the House of Commons and began their first conversation in ten years. From this conversation serious negotiations began, looking to common action. Finally the Conservative leaders made this promise: "The Government are prepared to pledge themselves to bring in a measure next Session for the purpose of removing existing difficulties by introducing the Federal principle into Canada, coupled with such provisions as will permit the Maritime Provinces and the North-West Territory to be incorporated into the same system of Government. And the Government will seek, by sending representatives to the Lower Provinces and to England, to secure the assent of those interests which are beyond the control of our own legislation to such a measure as may enable all British North America to be united under a General Legislature based upon the federal principle."

On this understanding, Brown accepted the office of President of the Council in a coalition Ministry and brought with him to the Cabinet William McDougall and Oliver Mowat, two of his ablest coadjutors. The political effect of this gesture was very great; when Macdonald and Brown travelled together to the Charlottetown Conference and gave utterance from the same platform to similar hopes and aspirations for the glory of British America, the mind of Upper Canada was made up. From that time this Province never wavered in its support of Confederation.

Then came, in October, 1864, the Quebec Conference when the nebulous proposals were formulated into a series of Resolutions for presentation to Parliament. The delegates to this Conference, better known to-day as the Fathers of Confederation (*) were as follows:

From Canada: Sir Etienne P. Taché, John A. Macdonald, Georges E.

Cartier, George Brown, Oliver Mowat, Alexander T. Galt, William McDougall, Thomas D'Arcy McGee, Alexander Campbell, J. C. Chapais, Hector L. Langevin, James Cockburn;—12.

From Nova Scotia: Charles Tupper, William A. Henry, R. B. Dickey, Jonathan McCully, Adams G. Archibald;—5.

From New Brunswick: Samuel Leonard Tilley, William H. Steeves, J. M. Johnston, Peter Mitchell, E. B. Chandler, John Hamilton Gray, Charles Fisher;—7.

From Prince Edward Island: Col. J. H. Gray, Edward Palmer, William H. Pope, A. A. Macdonald, George Coles, T. Heath Haviland, Edward Whelan;—7.

From Newfoundland: F. B. T. Carter, Ambrose Shea;—2. 33 delegates.

The completed federal scheme was fully discussed at Quebec during the Session of 1865 and was adopted; in the House of Assembly by ninety-one to thirty-three, and in the Legislative Council by forty-five to fifteen. Newfoundland stayed out of the Union and there was a brave political fight in the Maritime Provinces before they were ready to endorse the proposal. But in 1867 after a Conference in London, the British North America Act was passed by the Imperial Parliament and the Queen's proclamation of May 10th, 1867, fixed July 1st as the date for bringing the Dominion of Canada into being.

The quarrel between Brown and Macdonald was one of uncommon bitterness and of long standing. The Editor of *The Globe* had always been a reckless and hard-hitting critic and he never was squeamish about adjectives when dealing with the Tory leader. He honestly believed that Macdonald was an evil influence in the country, and so, laid about him as vigourously as a Cromwell Ironside in the vicinity of Prince Rupert. Macdonald wrote to a friend in the mid 'fifties that he was carrying on a war against Brown, that he would prove him a most dishonest, dishonourable fellow "and in so doing I will only pay him a debt that I owe him for abusing me for months together in his newspaper."

During the Session of 1856, held in Toronto, Macdonald made a frontal attack upon his enemy by charging that Brown while acting as a member and secretary of a commission appointed by the Baldwin-LaFontaine Government to inquire into the administration of the Provincial Penitentiary at Kingston, had falsified testimony, suborned convicts to commit perjury, and obtained the pardon of murderers to induce them to give false testimony. Brown moved for a Committee of Inquiry and produced before the Committee the original report, which it was generally believed had been burned. The following paragraphs dealing with the progress of the case are from The Life of George Brown by Senator John Lewis—one of the best performances in *The Makers of Canada* series:

"The graver charges of subordination, of perjury, etc., were abandoned and

*Dr. A. H. U. Colquhoun's book "The Fathers of Confederation," in *The Chronicles of Canada* series is the best and fullest record of this period available, despite its extreme condensation.

Macdonald's friends confined themselves to an attempt to prove that the inquiry had been unfairly conducted, that the Warden had been harshly treated (*), and the testimony not fairly reported. It was a political committee with a Conservative majority, and the majority, giving up all hope of injuring Brown, bent its energies to saving Macdonald from the consequences of his reckless violence. The Liberal members asked for a complete exoneration of Mr. Brown. A supporter of the Government was willing to exonerate Brown if Macdonald were allowed to escape without censure. A majority of the committee, however, took refuge in a rambling deliverance, which was sharply attacked in the legislature. Sir Allan MacNab bluntly declared that the charge had been completely disproved, and that the Committee ought to have had the manliness to say so. Drummond, a member of the Government, also said that the attack had failed. The accusers were willing to allow the matter to drop, and as a matter of fact the report was never put to a vote. But Mr. Brown would not allow them to escape so easily. Near the close of the Session he made a speech which gave a new character to the discussion. Up to this time it had been a personal question between Brown and his assailants.

"From these personal matters Brown returned to the abuses that had been discovered by the commission. A terrible story of neglect and cruelty was told. These charges did not rest on the testimony of prisoners. They were sustained by the evidence of officers and by the records of the institution. 'If,' said the speaker, 'every word of the witnesses called by the commissioners were struck out, and the case left to rest on the testimony of the Warden's own witnesses and the official records of the prison, there would be sufficient to establish the blackest record of wickedness that ever disgraced a civilized country.' Amid applause, expressions of amazement and cries of 'Shame' from the galleries, Brown told of the abuses laid bare by the prison commission. He told of prisoners fed with rotten meal and bread infested with maggots; of children beaten with cat and rawhide for childish faults; of a coffin-shaped box in which men and even women were made to stand or rather crouch, their limbs cramped, and their lungs scantily supplied with air from a few holes. Brown's speech virtually closed the case, although Macdonald strove to prove that the accounts of the outrages were exaggerated, that the Warden, Smith, was himself a kind-hearted man, and that he had been harshly treated by the commissioners."

The acrid hatred of the rival leaders, one for the other, may be imagined when one remembers that this public dispute was only one of many. It is not surprising that the news of Brown's willingness to co-operate with Macdonald on the Confederation question was received throughout the country first with incredulity and then with gaping astonishment. But co-operation did not mean the end of hostility or suspicion. The hatchet was buried in the shallowest of graves. After Brown retired from the coalition a handful of sand was scraped away and the weapon was brandished as vigourously as ever.

It is not to be denied that George Brown's willingness to serve in a coalition Cabinet under Sir Etienne Taché made the project of Confederation practicable. But the suspension of hostilities with Sir John A. Macdonald was too much for human nature to bear; in 1865 after the death of Taché, Brown resigned from the Ministry, and was replaced by another, and less fiery Liberal, Fergusson Blair. Outside the Government he was still a

*He had been dismissed as a result of the report.

fervent supporter of the policy although he reserved the right to criticise the Cabinet. Mowat had been named Chancellor of Upper Canada immediately after the Quebec Conference and had been succeeded in the Ministry by William P. Howland of Toronto. A Liberal Convention, meeting at Toronto in June, 1867, had the opportunity of hearing George Brown denouncing the "degradation" of serving with the Tories, and Howland and McDougall declaring that as Confederation was not yet completed the coalition should continue.

The first Federal Government was constituted as follows:

John A. Macdonald, Prime Minister and Minister of Justice.
Georges Etienne Cartier, Minister of Militia and Defence.
Samuel Leonard Tilley, Minister of Customs.
Alexander T. Galt, Minister of Finance.
William McDougall, Minister of Public Works.
Adams G. Archibald, Secretary of State for the Provinces.
A. J. Fergusson Blair, President of the Privy Council.
Peter Mitchell, Minister of Marine and Fisheries.
Alexander Campbell, Postmaster-General.
Jean C. Chapais, Minister of Agriculture.
Hector L. Langevin, Secretary of State for Canada.
Edward Kenny, Receiver-General.

According to British custom a Parliament consists of two Chambers; a Lower House elected by the people and an Upper House, appointive or elective as circumstances may decree, with the power of review with respect to all legislation but Money Bills originating in the Lower House. Such was the organization of the first Parliament of Upper Canada which met in 1792 and continued in being until the Union of 1841. Such was the organization of the United Parliament from 1841 to 1867; such is the organization of the Federal Parliament of Canada. The House of Commons comes direct from the people; the Senate is an appointive body.

When the Provincial Legislatures were established at Confederation, Lower Canada and the Maritime Provinces followed the usual custom, each setting up a Legislative Assembly and a Legislative Council. Ontario, which had always been devoted to British practice, and whose people generally regarded English institutions with almost hysterical veneration, was content with a Single Chamber. There has never been a Legislative Council in this Province. The reason for this curious departure from normal practice is not generally known to the present generation; even to the public men concerned in provincial affairs. For that reason there is special interest in the fragmentary minutes of the Quebec Conference of 1864 as found in the papers of Sir John A. Macdonald and published by Sir Joseph Pope. (*)

On October 20th, 1864, Hon. George Brown moved that the Local Government to be set up in each Province should consist of but one Legis-

*"Confederation, being a series of hitherto unpublished Documents bearing on the British North America Act." 1895.

lative Chamber. A few notes of the speech he delivered in support of the proposal here follow: "As to Local Governments we desire in Upper Canada that they should not be expensive, and should not take up political matters. We ought not to have two electoral bodies. Only one body; members to be elected once in every three years. Should have whole legislative power—subject to Lieutenant-Governor. I would have Lieutenant-Governor appointed by General Government. In Upper Canada executive officers would be Attorney-General, Treasurer, Secretary, Commissioner of Crown Lands and Commissioner of Public Works. These would form the Council of the Lieutenant-Governor. I would give Lieutenant-Governor veto without advice, but under certain vote he should be obliged to assent During recess Lieutenant-Governor could have power to suspend executive officers. They might be elected for three years or otherwise. You might safely allow County Councils to appoint other officers than those they do now. One Legislative Chamber for three years, no power of dissolution, elected on one day in the third year. Lieutenant-Governor appointed by Federal Government. Departmental officers to be elected during pleasure or for three years. To be allowed to speak but not to vote."

Sir Georges Etienne Cartier said: "I entirely differ with Mr. Brown. It introduces in our local bodies republican institutions." Hon. Samuel L. Tilley of New Brunswick declared that his Province also would differ from Mr. Brown, and was supported by Hon. Charles Fisher. Hon. Chas. Tupper agreed with the general principle laid down by Mr. Brown that the Governments should be as simple and inexpensive as possible. "We should diminish the powers of the local governments," he said, "but we must not shock too largely the prejudices of the people." Hon. Jonathan McCully of Nova Scotia, said that miniature responsible governments were necessary, but when Hon. Mr. Brown argued further in favour of his proposals, Mr. McCully said, "Let Upper Canada try a single Chamber, and if it succeeds the other Provinces can afterwards adopt it." Mr. Brown withdrew his motion and the motion of Mr. McCully was adopted.

In twenty years of experiment the people of Upper Canada had discovered that a municipal Council of elected persons for a District, a County or a Township could manage local affairs well without turning to political disputation. It seems probable that the Upper Canada delegates to the Quebec Conference expected the Provincial Legislatures to be only enlarged County Councils. So many branches of Government were reserved for the jurisdiction of the proposed Federal Parliament that in the eyes of the politicians the powers of the local government would be almost as narrow and restricted as those of a municipality. There was no need in a County Council for a Second Chamber, since all by-laws were subject to Governmental review. As the proposed Federal Parliament was to have the right of disallowing Provincial legislation, a Provincial Second Chamber seemed equally unnecessary.

John Sandfield Macdonald's long Parliamentary experience and solid

character made him the inevitable choice as Prime Minister of the new Province of Ontario. Since 1841 he had been a Member of Parliament, first for Glengarry and later for the town of Cornwall. Originally he was a man independent of Party ties but he found the course of Robert Baldwin satisfactory and stood by him in his efforts to secure Responsible Government. From 1849 to 1851 he was Solicitor-General in the Baldwin-LaFontaine Ministry, yet he was never other than independent in his views. He distrusted extremists of all parties, whether English or French, and thus was never in harmony with George Brown or with the Clear Grit Party as finally constituted. On the other hand he had refused to join the Cabinet of Sir John A. Macdonald by sending the laconic telegram "No go," and had steadily opposed Confederation.

In view of the opinion of the Upper Canada delegates to the Quebec Conference, that Party Politics should have no place in the administration of the local governments Sir John considered that the Coalition, or non-Party, Cabinet to be chosen would find John Sandfield Macdonald an acceptable chief. He was distinctly unattached; he was a Roman Catholic Loyalist; and he was certain to be the dominant figure of the Administration.

Major General William Henry Stisted, C. B., the military officer commanding in Upper Canada, was selected as provisional Lieutenant-Governor and was sworn in at Osgoode Hall on July 8th, 1867. The choice of a soldier for this civilian office was roundly denounced by Brown in *The Globe,* but as the nomination was temporary the Federal Ministry took no notice of the criticism. A few days later John Sandfield Macdonald accepted the position of Premier and was sworn in on July 16th in company with Hon. John Carling, Commissioner of Agriculture and Public Works, and Hon. Stephen Richards, Q. C., Commissioner of Crown Lands. *The Globe* assumed hastily that only three Ministers were to form the Cabinet and issued a blast of denunciation, but on the 20th, Hon. Matthew Crooks Cameron and Hon. Edmund Burke Wood (*) took the oath as Provincial Secretary and Provincial Treasurer respectively.

Wood and Cameron made their first public appearance at a meeting at Brantford where they gave reasons for their action in sinking political differences and enlisting under the banner of John Sandfield Macdonald. At this meeting a minority expressed hostility and a Mr. Fleming moved a resolution condemnatory of the Government of Ontario. *The Leader* in its report wrote "Mr. Fleming gave way to Mr. A. S. Hardy, a juvenile lawyer, who seconded the resolution and endeavoured in a frantic manner

*Edmund Burke Wood, the first Provincial Treasurer of Ontario, was an eminent barrister who practised with F. B. Long in Brantford, following his call in 1848. He was the first Clerk of the County Court and Clerk of the Crown for Brant when the county was erected in 1853. In 1863 he was elected to the Legislative Assembly and continued a Member until after Confederation. Meantime he had accepted office under John Sandfield Macdonald, representing South Brant in the Legislature. When the Dual Representation system was ended in 1872 Mr. Wood retired from the Dominion Parliament, but a year later was elected for West Durham. In 1874 he was appointed Chief Justice of Manitoba and ten years later was unjustly attacked in a petition to Parliament by a Winnipeg lawyer-politician of notorious reputation. Wood's budget speeches from 1868 to 1871 give proof of signal ability. He was the author of a scheme for the settlement of the Municipal Loan Fund and his calculations were the basis for the plan which was finally adopted by Premier Mowat.



THE FATHERS OF CONFEDERATION

to abuse Mr. Cameron and Mr. Wood." This seems to have been the first public appearance of a gentleman who in later years was to serve as Premier of the Province.

On July 24th at London Sir John A. Macdonald and Hon. John Sandfield Macdonald appeared on the same platform and addressed a great audience in the Market Square. The new Premier of Ontario said in his address: "I will tell you why I accepted the position which I now occupy. When I found that the Senate of the Dominion of Canada, so far as Upper Canada was concerned was composed half of Reformers and half of Conservatives, I began to think that Sir John A. was disposed to deal fairly. I found my old colleagues who had conducted the affairs of this country along with myself for two years were in the Government, and I could not withdraw my confidence from these men who had so faithfully supported me. I began to think that there was fair play in the Cabinet and that Sir John A. was not the monster he was represented to be. And I must say that since I accepted the Premiership of Ontario he has not interfered with my actions in the least degree." After a vigourous criticism of the course adopted by Mr. Brown and his followers, Hon. Mr. Macdonald said that he intended to make no difference between Conservatives and Reformers; it was his desire to unite all men in making this a prosperous and happy country.

This was not the only occasion on which the two Macdonalds stood on the same platform, for a double election was approaching and the two Coalitions had the same policy. This junction of oratorical forces led Hon. George Brown to remark that the Premiers were "hunting in couples." Brown himself was hunting singly in South Ontario and on one occasion spoke for four hours, with the thermometer recording a temperature in the nineties. Is it surprising that he was not successful in the election?

The writs for the first Provincial Elections were issued on August 7th, 1867, and the names of the Members chosen for the Assembly were:

Addington, Edmund J. Hooper.
Algoma, Fred W. Cumberland (Protested)
Bothwell, Arch McKellar. *
North Brant, Hugh Finlayson. *
South Brant, Hon. E. B. Wood.
Brockville, Wm. Fitzsimmons.
North Bruce, Donald Sinclair. *
South Bruce, Edward Blake. *
Cardwell, Thos. Swinarton.
Carleton, Robert Lyon.
Cornwall, Hon. J. S. Macdonald.
Dundas, Simon Cook.
East Durham, A. T. H. Williams. *
West Durham, John McLeod. *
East Elgin, Solomon Wigle.
West Elgin, Nicol McColl.
Essex, Daniel Luton.
Frontenac, Hon. Sir Henry Smith.
Glengarry, James Craig.
South Grenville, McNeil Clarke.
South Grey, A. W. Lauder.
North Grey, Thos. Scott.
Haldimand, Jacob Buxton. *
Halton, Wm Barber.
Hamilton, James M. Williams.
West Hastings, Ketchum Graham.
East Hastings, Henry Corby.
North Hastings, Geo. H. Boulter.
North Huron, W. T. Hays.
South Huron, Robert Gibbons. *
Kent, John Smith. *
Kingston, M. W. Strange.
Lambton, Timothy B. Pardee. *
North Lanark, Daniel Galbraith.
South Lanark, W. McN. Shaw.

Leeds and North Grenville, Henry D. Smith.
South Leeds, Benjamin Tett.
Lennox, John Stevenson.
Lincoln, John Charles Rykert.
London, Hon. John Carling.
North Middlesex, James E. Smith. *
West Middlesex, Nathaniel Currie.
East Middlesex, James Evans. *
Monck, George Secord.
Niagara, Donald Robertson (resigned) Stephen Richards.
South Norfolk, Simpson McColl.
North Norfolk, James Wilson.
East Northumberland, John Eyre.
West Northumberland, Alex. Fraser.*
North Ontario, Thos. Paxton.
South Ontario, Wm. McGill. *
Ottawa, R. W. Scott.
North Oxford, George Perry. *
South Oxford, Adam Oliver. *
Peel, John Coyne.
North Perth, Andrew Monteith.
South Perth, James Trow. *
West Peterborough, John Carnegie.
East Peterborough, Geo. Read.
Prescott, James Boyd.
Prince Edward, Absolom Greeley.
South Renfrew, John Lorn McDougall.
North Renfrew, John Supple.
Russell, William Craig.
South Simcoe, Thomas R. Ferguson.
North Simcoe, William Lount.
Stormont, Wm. Colquhoun.
West Toronto, John Wallis.
East Toronto, Hon. M. C. Cameron.
North Victoria, Alex. P. Cockburn.
South Victoria, Thos. Matchett.
North Waterloo, Moses Springer. *
South Waterloo, Isaac Clemens. *
Welland, Wm. Beatty.
North Wellington, Robt. McKim.
Centre Wellington, Alex. D. Ferrier.
South Wellington, Peter Gow. *
Wentworth North, Robert Christie. *
Wentworth South, Wm. Sexton. *
York East, H. P. Crosby.
York West, Thos. Grahame.
York North, Hon. John McMurrich.*

The names starred represent the opponents of the Government. Twenty-three in all. There were five Independents and fifty-four Government supporters, many of whom were Moderate Liberals.

The House met for its first Session on December 27th, 1867, with Chas. T. Gilmore as Clerk, and elected John Stevenson of Lennox as Speaker. The Premier in presenting his name mentioned that he was a Reformer and stirred up a purely partisan debate in which Clear Grits and High Tories equally participated to no great advantage for themselves, the Government, or the country. Mr. Stevenson had been reeve of the first County Council after the separation of Lennox from Frontenac. He was counted as the wealthiest citizen of Napanee, was a leader in all County affairs, was energetic and public-spirited.

The Speech from the Throne was delivered by Major-General Stisted on December 28th and contained the following paragraphs:

"We are met together under the authority of the British Crown to enter upon a more extended application than we have hitherto enjoyed of the principle of local self-government.....The people of Western Canada have desired a wider and more elastic governmental system, which, while it should strengthen and consolidate British Dominion on this Continent should also afford larger opportunities for their own particular growth and expansion. This object we have now obtained through the beneficent interposition of the Mother Country. The provision for the future government of this Province is in one respect peculiar and exceptional. It confers upon you, gentlemen, the exclusive privilege of framing laws in relation to matters within your juris-

diction, unaided and unchecked by the supervisory control of another chamber. It remains for you to justify, by your wisdom, moderation and forethought, the confidence so freely reposed in you by the Imperial Government.....Your position in this new confederacy, weighty and influential as it now is, will hereafter become relatively of increasing magnitude according to the degree of prudence, sagacity and forethought you may evince in the management of the important interests entrusted to your care."

As the space on the floor of the House was limited a list of the ladies present may be considered a conspectus of Social Toronto in 1867: Mrs. McPherson, Miss Gordon, Mrs. J. D. Ridout, Mrs. Cumberland, Mrs. Donald Macdonald and daughters, Mrs. George Duggan, Miss Zane, Mrs. George Cockburn, Mrs. John McMurrich, Mrs. John Kay, Mrs. J. H. Cameron, Miss Charlotte Boulton, Misses Furlong, Mrs. and Miss Gzowski, Miss Draper, Miss Wyatt, Mrs. P. S. Stevenson, Mrs. Mitchell Macdonald, Mrs. Angus Morrison, Miss Morrison, Mrs. E. H. Rutherford, Miss Rutherford, Mrs. Colonel Anderson and daughter, Mrs. McCaul and Miss McCaul, Mrs. Spencer, Mrs. T. Hodgins, Mrs. Clarkson Scobie, Mrs. Cherriman, Mrs. F. W. Jarvis, Mrs. Dr. Rolph, Mrs. Hayward, Miss Gamble, Mrs. C. Gamble, Mrs. T. C. Patterson, Miss Harris, Mrs. Radcliffe.

The Estimates presented to the first Legislature forecasted a revenue of $1,853,638.91. (*) The Subsidy from the Dominion was $1,196,872.80 and the balance was to be derived from land sales, law stamps, tavern and other licenses, territorial revenue, and a surplus of $315,107.85. The expenditure estimated was as follows:

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|---|---|
| Civil Government | $ 174,683.29 |
| Legislation | 291,550.00 |
| Administration of Justice | 206,580.26 |
| Public Works and Buildings | 24,972.00 |
| Agriculture | 66,450.00 |
| Miscellaneous | 12,000.00 |
| Hospitals and Charities | 69,488.50 |
| Reformatory, Penetanguishene | 13,013.37 |
| Library and Scientific Institutions | 23,660.00 |
| Education | 301,500.00 |
| For Contingencies | 20,000.00 |
| | $1,293,837.46 |

Of the grant of $301,500 for Education, $172,542 was applied to teachers' salaries. The local school authorities had a total expenditure during 1867 of $1,473,188.76. The Province had 37 jails, four lunatic asylums, one reformatory, six general hospitals and one asylum for the Deaf and Dumb.

Early in the Session a few private members displayed a tendency to bring forward projects of law which were of a public nature and should have been introduced as Government measures. Sir Henry Smith of Frontenac was sponsor for a Bill proposing to do away with Dual Repre-

*For the year ending October 31st, 1924, the receipts were $40,509,642.70.

sentation; that is to say, forbidding Members of the Toronto Assembly to sit in the Federal House. Three of the members of the Government, Macdonald, Carling and Wood, and the Olympian Oppositionist, Edward Blake, had been elected to both Parliaments. The question was fully discussed, but the Six Months' Hoist ended the debate. When Sir Henry went a step farther and introduced an amendment to the Election Act, Archibald McKellar of Bothwell who was acting Leader of the Opposition, complained that the Government should not allow such a measure to be taken out of its hands by a private member, however distinguished. Evidently the Premier was like-minded, although he did not reveal his opinion publicly for some days. On January 24th, 1868, Hon. Mr. Macdonald rebuked those of his supporters who had ventured to introduce Bills changing Statute Law without even consulting the Government, or even himself as Attorney-General. Sir Henry Smith refused to be quelled; cited the meagre programme outlined in the Speech from the Throne, and said that the Government ought to be grateful to its friends for their activity. The Premier held his ground. Edward Blake said that he did not intend to interfere "in the pretty little quarrel just witnessed," but he expressed satisfaction at the Premier's declaration of Government responsibility.

On a previous occasion Mr. Macdonald had declared that the Government was prepared for the responsibility laid upon it and added with grim irony that Gentlemen Opposite were "their daily dread—their horror." For a non-partisan body the Legislature was getting on! The political habit was ingrained. Members had played the game so long that they could not be expected to step themselves down to the voltage of County Councillors. It is probable that Hon. Mr. Macdonald himself believed that the non-Party System would not succeed, for early in the Session he said: "It is quite certain, if this system of Government is to continue, that the representative of the Sovereign must have an official residence."

Most of the Bills considered had to do with the organization of the new Province. Provision was made for the publication of an *Official Gazette*, for the establishment of a Consolidated Revenue Fund, for the licensing of taverns, for the improvement of Municipal and assessment laws, for the management of Crown Lands and for the encouragement of settlement. On motion of J. C. Rykert of Niagara for a return showing the number of timber licenses granted since 1860 there was a general discussion of the inadvisability of putting settlers on timber lands. R. W. Scott of Ottawa insisted that white pine lands invariably were unfit for settlement and K. Graham of West Hastings said that nine out of ten houses were deserted along the Hastings Colonization Road. The Premier admitted that the country had been greatly injured abroad by the reports of immigrants who had been deceived by being placed on unproductive lands and expressed the view that the Colonization Roads constructed at great expense by the old Union Government had been a failure. He added a sentence which may be considered as expressing the basic principle of Crown Lands administration

in Ontario since that hour: "The Government wishes to avert the dire resort to direct taxation by husbanding the timber which constitutes so large a portion of the real wealth of the country."

In the course of an address about this time John Sandfield Macdonald paid an unwitting tribute to the ability of George Brown as a political leader. He said that when Brown entered the Coalition his followers approved; when he came out of it they approved again; and if he had gone into it a second time, they still would have approved. Undoubtedly so! The Liberal leader had the priceless gift of commanding support while seeming to plead for it. Macdonald was similarly endowed; so was Laurier in his generation.

Hon. W. P. Howland replaced General Stisted as Lieutenant-Governor in 1868 and met the Legislature for its second Session (*) on November 3rd of that year. The Speech mentioned in an early paragraph the success of the Provincial Exhibition held in Hamilton; then it urged better care for the deaf, dumb and blind and remarked upon the necessity of improving jail administration. *The Globe* was dissatisfied with the Speech—which was to be expected—and was scornful of the section relating to the Exhibition. The Editor wrote: "He (the Governor) twaddles away about the things he saw there, like a school-boy writing his first composition." Mr. McKellar's complaint in the course of the Debate on the Address was that the general programme outlined by him and his followers in the previous Session had been appropriated by the Administration.

One of the Ministers of the Crown, Hon. M. C. Cameron, Q.C., had served as defence counsel for Whelan, the assassin of Hon. Thos. D'Arcy McGee. The impropriety of a King's Minister acting in opposition to the Crown was stressed by members of the Opposition, particularly by Edward Blake. Premier Macdonald admitted the soundness of the argument, excused rather than justified the action of his colleague and intimated that there would be no reason for complaint in future. The Liberal press harped on the "humiliation" of Mr. Cameron and gently suggested resignation—but without effect. When one considers the meagre salary paid to the Provincial Ministers—$3,200—one cannot wonder that they looked to the practice of their professions for augmentation of their incomes.

The question of Dual Representation was pressed again by the Opposition, but the Government defeated an amendment which would have put an immediate end to the system. On one subject during this Session all parties were agreed; that is upon the excellence of the financial situation. There was a surplus of $1,000,000. Government supporters of course gave the credit to the carefulness of the Administration; Oppositionists credited the healthy public opinion of the Province with the achievement. On December 5th, 1868, *The Globe* said: "A French Conservative paper has

*Conditions in the Press Gallery were improved as the following ungracious comment in "The Globe" will show: "For the Reporters the Department of Public Works has apparently been exercising a little ingenuity. Cushioned chairs have replaced the rude pine board that formerly served the purpose of a seat, the passageway leading to their galleries has been decorated with York-shilling wall-paper, and a number of boxes have been placed in the Reporters' rooms to preserve the result of their cogitations from loss until given to the public."

caused some sensation by attempting to prove that the Province of Ontario instead of having a large surplus must have at the end of the present year a deficit of at least $89,000. The array of figures by which this is made out is hardly worth serious consideration—inasmuch as the writer who made them up committed the mistake of charging the money invested in Dominion securities as current expenditure of the Province. A financier who reckons in that way may be expected to prove almost anything he pleases. The object of the calculation showing a deficit for Ontario is to excuse the Government of Quebec for its failure to produce a large surplus. But the Opposition papers in that Province turn the argument the other way and ask what sort of a deficit may we not expect in Quebec where the Government is so much more extravagant and has at the same time less money? The *Journal de Quebec,* Mr. Cauchon's paper—reasons that as neither *The Globe,* nor Mr. McKellar nor Mr. Blake denies the existence of a surplus there must be one. In the same article he gives the reasons why Quebec cannot have a surplus as well as Ontario: (1) The Province of Ontario has only one Chamber; (2) it has struck out of its Budget the grants for superior education which amount to a considerable sum; (3) it has local taxes to sustain certain local institutions which in Lower Canada have the support of a legislative vote; (4) its sources of revenue produce more than those of Lower Canada because its lands sell higher; (5) it receives annually from the Government of the Dominion $23,894 more than the Province of Quebec."

The Administration of the Province was careful to the verge of parsimony. The total of the Estimates presented in this Session was $1,637,-834.38; some of the chief items included in that sum were: Civil Government $100,369; Crown Lands, $100,400, of which about half was for surveys; Colonization Roads, $50,000; Legislation, $57,825, which included $30,000 for Members' indemnity and mileage; Administration of Justice, $188,484; Public Works and Buildings, $453,803; Agriculture, $68,450, and Education, $316,625. While Government House was being built an allowance was made to the Lieutenant-Governor for rent, fuel, etc., of $2,500. This was said by the Premier to be a liberal amount.

But while the finances of the Province were in a most satisfactory position the municipalities had enormous obligations generally incurred during the Railway era by borrowings from the Municipal Loan Fund. The Government of United Canada had undertaken to secure money abroad to lend to such municipalities as desired to construct public buildings, or harbours or to aid in the securing of railway accommodation. Many had purchased railway company shares in the rosy hope that the dividends would carry the loans without difficulty. When that hope failed the Councils found themselves in many cases with only questionable assets to set against heavy indebtedness. There was a Parliamentary Return in 1867 which tabulated the state of the Municipal Loan Fund. A study of these figures as subjoined shows better than pages of description the general financial insanity of the Railway Era. Some of the municipalities had paid the interest as it

came due; but only seventeen out of forty-six! The rest had pyramided the interest on the capital account.

THE MUNICIPAL LOAN FUND

As at Dec. 31, 1867

| Municipality | Amount of Loan | Date of Loan | Balance Due |
|---|---|---|---|
| Bertie Tp. | $ 40,000 | 1853 | $ 40,000.00 |
| Brantford Tp. | 50,000 | 1853 | 50,000.00 |
| Brantford Town | 500,000 | 1853 and 1854 | 682,866.71 |
| Belleville | 20,000 | 1854 | 20,000.00 |
| Brockville | 400,000 | 1854 and 1856 | 613,954.35 |
| Barrie | 12,000 | 1855 | 13,558.18 |
| Huron & Bruce Cos. | 308,000 | 1853, 1854 | 308,000.00 |
| Cobourg | 500,000 | 1853, 1854, 1855 | 824,225.45 |
| Chippawa | 26,000 | 1853, 1856 | 31,777.32 |
| Canboro' Tp. | 8,000 | 1853 | 8,000.00 |
| Cornwall Town | 12,000 | 1854 | 12,000.00 |
| Chatham Town | 100,000 | 1855 | 125,897.74 |
| Dundas Town | 52,000 | 1855 | 79,463.84 |
| Elgin Co. | 80,000 | 1854 | 80,000.00 |
| Elizabeth Tp. | 154,000 | 1854, 1858 | 224,211.15 |
| Essex Co. | 32,000 | 1855 | 32,000.00 |
| Grey Co. | 16,000 | 1853 | 16,000.00 |
| Goderich Town | 100,000 | 1854 | 118,925.81 |
| Guelph | 80,000 | 1855 | 80,000.00 |
| Hope Tp. | 60,000 | 1853 | 87,560.71 |
| Hastings Co. | 157,000 | 1855, 1857 | 157,000.00 |
| Lincoln Co. | 48,000 | 1853 | 48,000.00 |
| Lambton Co. | 16,000 | 1853 | 16,000.00 |
| London City | 375,400 | 1854, 1855 | 569,719.81 |
| Lanark & Renfrew Cos. | 800,000 | 1854, 1856 | 1,141,044.10 |
| Moulton & Sherbrooke Tp. | 20,000 | 1853 | 20,000.00 |
| Middleton Tp. | 5,000 | 1853 | 5,000.00 |
| Niagara Town | 280,000 | 1853, 1854, 1855 | 438,286.41 |
| Northumberland & Durham Cos. | 460,000 | 1854, 1855, 1856 & 1857 | 460,000.00 |
| Norwich Tp. | 200,000 | 1854 | 313,597.24 |
| Oxford Co. | 20,000 | 1853 | 20,000.00 |
| Ottawa City | 200,000 | 1853 | 239,719.68 |
| Ops Tp. | 80,000 | 1853 | 120,420.30 |
| Port Hope Town | 860,000 | 1853, 1854, 1855 | 1,365,709.93 |
| Perth County | 288,000 | 1853 | 318,995.68 |
| Paris Town | 40,000 | 1853 | 40,000.00 |
| Prescott | 100,000 | 1853 | 160,609.92 |
| Peterboro' | 100,000 | 1857 | 118,894.18 |
| St. Catharines | 190,000 | 1853, 1854, 1855 | 295,540.92 |
| Stanley Tp. | 10,000 | 1853 | 10,000.00 |
| Simcoe Town | 100,000 | 1854 | 159,040.72 |
| Stratford Town | 100,000 | 1854 | 146,632.97 |
| Woodhouse Tp. | 80,000 | 1854 | 124,670.35 |
| Windham Tp. | 100,000 | 1854 | 157,411.31 |
| Woodstock Town | 100,000 | 1854 | 154,522.02 |
| Wainfield Tp. | 20,000 | 1853 | 20,000.00 |
| Principal | $7,300,000 | Arrears of Principal and Interest | $10,059,766.80 |

The legislation of 1868 included acts for the Registration of Births, Marriages and Deaths, for the improvement of Assessment, for the Independence of Parliament—excluding from the Assembly public officers and others drawing emoluments from the Treasury—and for the better conducting of elections. An important section of the Election Act required that the polling throughout the Province should take place on one day.

The lack of a Second Chamber had not been noticed, save in the economies caused by its non-existence. There was no great danger of "hasty and ill-considered legislation" while John Sandfield Macdonald was the Premier and while the Government was not admittedly partisan. The timid constitutionalists still rested comfortably in the knowledge that the Federal Administration had a veto power with respect to Provincial legislation, but the generality of Ontario folk, whether Conservative or Liberal, considered that the Legislature could direct Provincial affairs without Federal interference. In 1868 The London *Free Press* intimated that any exercise of the veto power would be resented: "The people of Ontario would unite as one man to retain in their fullest exercise the powers that the Act of Confederation confers." The occasion for this utterance was the announcement that the Dominion Government would disallow the Privileges of Parliament Act, the County Court Judges Act and the clause of the Supply Act providing money to supplement the salaries of the Judges of the Superior Court. The Legislature had overstepped its authority in proposing to pay the Judiciary, since all Judges were appointed by the Federal power. There was a long argument between the Attorney-General and the Federal Minister of Justice but the right of the Dominion was finally made clear. This case is cited, not because of its intrinsic importance, but because it was the first of a long series of disputes over Provincial Rights.

The third Session opened on November 3rd, 1869. The Speech foreshadowed legislative action to provide for the drainage of "certain swamp lands well known to exist in the heart of some of the most populous counties of the Province." In Kent, Lambton, Bruce, Perth, and, indeed in all parts of the Province swamp areas to an extent of one million acres existed. The Government proposed to make loans to the local authorities to aid in the reclaiming of these lands. In the course of the Debate on the Address the Administration was complimented for having sent Thomas White to England as Immigration Commissioner. As a result of his efforts, backed by 100,000 pamphlets, 20,000 posters, advertisements, etc., immigration increased in a marked degree. In one year there had been 10,807 new arrivals from the British Isles "at a cost to the Province of less than $2 a head."

Not all the speeches were complimentary. Mr. McKellar attacked the Premier because the Deaf and Dumb Asylum "from a piece of political spite had been taken from Hamilton and placed in Belleville." The election of an opponent of the Government in Hamilton was alleged to be the reason for the transfer. "As to Hamilton," said Mr. McKellar, "the Attorney-General would have laid it in the same state as Sodom and Gomorrah were

laid, for its political views." Criticism occasionally came also from the Conservative camp; *The Leader* intimated that Hon. Mr. Richards was a poor stick in the Crown Lands Office and a heavy burden for his colleagues to carry. Mr. Ferguson, the Member for Simcoe, was equally outspoken in a speech in favour of admitting a petition from the Huron and Ontario Canal Company. He said: "If I am not satisfied with the men at present in power. I am certain that gentlemen opposite would be worse, and am decidedly of opinion that better than either could be obtained." The Coalition was meeting its natural fate; that of doing its work well but being subjected to an enfilading fire from both Parties. In Canada any Coalition is in the position of a fatigue party digging trenches in No Man's Land. No one but a violent partisan can read these debates with satisfaction. There was no principle dividing the Parties. Liberals followed the lead of George Brown in hating Sir John A. Macdonald and the Tories at Ottawa, and in despising John Sandfield Macdonald because he and his friends were friendly with the Federal Administration. The Premier of Ontario and some Liberals who had been led into Coalition in 1864 by George Brown did not admit the authority of that fiery Editor to lead them out when the task of Confederating the Provinces was only half done, and resented his denunciations. If ever the Party Spirit ran mad it was in Toronto during the first Provincial Parliament of Ontario.

During the third Session two important Education measures were passed; one relating to public schools, the other establishing the High School system which actually came into existence in 1871—to the great advantage of the Province. There was also an Act fixing the indemnity of Members of the Provincial Parliament at $6 a day, if the Session did not last beyond 30 days. Otherwise it was to be $450, with mileage at 10c. a mile going and coming. A Member who did not attend was "docked" $4 a day.

At the beginning of the Fourth Session the Province held Dominion stock and debentures to an amount of $1,205,675.73. It was announced that the arbitration respecting the financial adjustments between the Province and the Dominion had been concluded and that the Government would establish a Railway Aid Fund of $1,500,000 to be distributed to approved railway construction enterprises on the basis of $2,000 a mile. Party warfare continued during the Session. One of the Members had been elected as a Liberal but had given general support to the Government. Thus he was anything but popular with the Opposition. Mention having been made of a certain bond which this Member had given, Edward Blake interjected a remark to the effect that he had no confidence in the honourable Member's bond. Next day *The Globe* by error printed "word" instead of "bond." The Member complained in the House, and Mr. Blake tendered an Irish apology. He said he was sure that the Member's word was as good as his bond.

The Legislation permitting the distribution by the Executive of the Railway Aid Fund without specific Parliamentary sanction was seized by

the Liberals as their chief complaint in the Election campaign which followed soon after the close of the Session. The argument before the people did not lack in warmth and party feeling ran high. In Brantford, for example, Mr. Blake was denied a hearing.

The result of the polling on March 21st, 1871, brought elation to the Liberals for the Opposition group was largely increased. During the summer a number of the elections were contested and by December when the House opened *The Globe* reported the standing of the parties as follows: Ministerialists, 29; Oppositionists, 40; Independents, 6. There were seven vacant seats. The Members chosen for Carleton, South Grey, Prescott, Prince Edward, North Simcoe, and Stormont had been unseated by judicial decision, and West Durham had been vacated by Mr. Blake. The Opposition leader had been elected in two constituencies and had determined to sit for South Bruce.

*The Globe* had found the Government guilty of dilatory conduct because it had not resigned immediately after the elections. Thus the Editor was in querulous temper and the Speech from the Throne, delivered on December 7th, was in no wise satisfactory. "In pettiness of conception," he wrote, "grammatical construction and the absence of anything like statesmanship, the thing is a marvel of imbecility." The Opposition chose to make a test of strength on the paragraph of the Speech referring to the Railway Aid Fund.

There was an extended debate and on December 12th, 1871, the Government found itself on the wrong side of a division. A Ministerial motion to adjourn was lost by a vote of 37 to 36. There was a Liberal demand for the resignation of the Government, but on the next day the Premier cited the number of vacancies in the House as a reason for continuing in office. *The Globe* of December 13th said: "Hon. Mr. Wood rose at four o'clock and spoke till six. He resumed after recess and spoke till nine, introducing into his speech every conceivable topic of debate. By an occasional bit of humour he managed to prevent the patience of the House from being utterly exhausted, and having accomplished the one purpose for which he rose, that of wasting the time of the House and the country, he sat down."

Two days after this hostile paragraph appeared Mr. Wood announced that he had resigned. In his statement he said that clearly the House was not satisfied with the composition of the Government. In view of the majority against the Ministry, in view of the fact that he had been unable to bring from the Reform side of the House any support to the Ministry, and in view of his examination of constitutional practice and usage, he felt it his duty to resign. He was bound to add that the Premier did not coincide with his conclusion. Considering that persons who had supported him in the late Parliament had now intimated that they were not in a position to give the Government any further support, but on the contrary must uniformly vote against it, he thought it his duty to resign at once. At the same time

he intended to vote with the Government on the amendment before the House.

The effect of the resignation was very great. A Coalition without a strong man from the Liberal ranks in it was no Coalition. Hon. Mr. Richards had but a small following and the official Liberals did not accept Premier Macdonald as a Liberal. A Government consisting of Macdonald, Carling, Cameron and Richards was three-parts Tory.

There was a strong feeling among Conservatives that Wood played an ignoble part, politically, since he was in communication with the Opposition while still in office, and after resignation, permitted Mr. Blake to time, if not to suggest, his procedure. A note sent across the House by Blake to Wood, saying "You had better speak now," was the evidence in the case. The Treasurer, on receiving the note had torn it up and had thrown it into the convenience for tobacco-chewers which an indulgent country had provided beside the desk of each Member. J. C. Rykert of Lincoln salvaged the scraps of paper, pieced them together and later denounced Wood as a traitor. The hostility of Sir John Macdonald towards the ex-Treasurer is shown by his Correspondence edited by Sir Joseph Pope. Yet it must be remembered that Wood was a Liberal and considered himself as the representative in the Cabinet of a moderate Liberal element in the country. He distinctly stated in his resignation speech that the Ministry had lost the confidence of this element, and in his opinion this loss justified independent action. An unprejudiced man might have come to a different conclusion concerning the obligations of Cabinet loyalty. Many Conservatives said that his appointment in 1874 by the Federal Liberal Government as Chief Justice of Manitoba was "the price of treachery," but heads are cooler today and there is no reason in attributing base motives to a man who was highly regarded in his generation. Possibly his collusion with Mr. Blake was an error of judgment rather than of meditated disloyalty to his Chief. In any case he suffered enough, for even on the Bench he was pursued by political enemies of the baser sort until the hour of his death, ten years after his appointment.

Dr. Goldwin Smith, writing as "A By-stander" in *The Canadian Monthly* of February, 1872, gave a clear and impartial record of the struggle in the Legislature which ended in the resignation of the Sandfield Macdonald Ministry. The proper course of the Ministry, he intimated, in view of the eight vacancies in the House, would have been to summon Parliament in the first instance only for the election of the Speaker who might receive the report of the election judges and issue the new writs; and then to move an adjournment till the number of the House should be complete. "The Government however felt itself strong enough to open the Session for general business and to put into the mouth of the Lieutenant-Governor a speech of the ordinary kind, claiming credit for the success of the Administration and thereby submitting the conduct of Ministers to the judgment of the House

and challenging a vote of no-confidence. The leaders of the Opposition at once swooped upon their prey."

An amendment to the Address was proposed in the following words: "But we feel bound to take the earliest opportunity of informing Your Excellency that we regret the course taken by the Legislative Assembly last Session under the guidance of your present Ministers in reference to the large powers given to the Executive as to the disposition of the Railway Aid Fund, and to state that in our opinion the proposal of the Government to grant aid to any railway should be submitted for the approval or rejection of the Legislative Assembly, so as not to leave so large a sum as $1,500,000 at the disposal of the Executive without a vote of this House appropriating the same to particular works."

Dr. Smith in his article pointed out that the Government had a strong case against this amendment. The policy assailed was the policy of the last Parliament and though subject to repeal or amendment was not subject to censure. It was open to the Opposition to move for the repeal of the Act but the motion presented was beyond the powers of the Opposition. The Government instead of taking this action moved through an unofficial member "that inasmuch as one-tenth of the constituencies of the Province remain at this time unrepresented in this House, it is inexpedient further to consider the question involved in the amendment till the said constituencies are duly represented on the floor of this House." Concerning this amendment which seemed to him equivocal and weak, Dr. Smith said: "Did the Minister mean that the House was incompetent to transact business unless all the constituencies were represented? Such a doctrine, untenable in itself, as it would consign most legislatures to a chronic state of suspended animation, was doubly untenable in the mouth of a Minister who, notwithstanding the eight vacancies, had just opened Parliament with all the usual forms for the transaction of general business."

After the resolution of the Government had been rejected by a majority of eight (40-32) and the Opposition amendment had been carried by a majority of seven (40-33) Hon. Mr. Wood had resigned. Of this resignation Dr. Smith wrote: "One of the Ministers now regarding the vote as a virtual vote of no-confidence, performed a duty which is perhaps the most distasteful that a man of honour in public life can be called upon to perform by announcing to the House his individual resignation and leaving his colleagues under fire. The reputation of Lord Russell has never recovered his abandonment of his colleagues in face of the vote of censure moved by Mr. Roebuck in consequence of the miscarriages in the Crimean War. But Lord Russell was generally believed to have acted from selfish motives; and the community, while it justly visits with the severest penalties any want of chivalrous fidelity on the part of a public man towards his associates in the Government, is bound, as it tenders its own highest interests, to protect a conscientious act against sinister imputations till something occurs to show that the imputations are well-founded. The rest of the Ministers

kept their places, as the Premier in debate had in effect announced that they would. In so doing they appear to have been justified by the general rules of public life."

On a second amendment offered by the Opposition which was practically a re-statement of the former one the Government was defeated by a majority of one (37-36). A tie was claimed on the side of the Government on the ground that the Speaker was a Ministerialist. Dr. Smith continued: "But no one can reckon the Speaker's vote. He leaves not only Party connection but personal opinion behind him when he ascends the chair. Even when called upon to give his casting vote he gives it not in the interest of his Party or of his own opinions, but in the interest of legislation. If the measure is in its final stage he votes against it, that it may not pass without a clear majority; if it is not in its final stage he votes for it, in order that it may not be withdrawn from further consideration. Such at least was the view expressed in the writer's hearing by a Speaker of the British House of Commons. Tie or no tie—the Ministers ought now to have resigned." Instead of resigning, however, the Ministers brought down in answer to the Address a message from the Lieutenant-Governor ignoring the general expression of no-confidence and stating in regard to the Railway Fund, which was assumed to be the sole subject of complaint, that the Government had done nothing except in accordance with the Act, which the House was at liberty if it thought fit to repeal. This was itself true, pertinent and in fact a complete answer to the paragraph in the Address. But it came too late. The doom of the Ministry was sealed. The Opposition at once moved a string of resolutions condemning the remaining Ministers for continuing to hold office against the expressed opinion of the House and concluded with a threat of stopping the supplies. The combination by which the Ministers were supported now broke up. The Government was defeated by nineteen (44-25) and on such occasions the division list is generally an inadequate measure of the disaster."

On December 19th Premier Macdonald announced the resignation of the Government. In reviewing the situation he made a protest against the charge that the Administration had arrogated to itself special and unconstitutional powers in the matter of railway subsidies and continued as follows:

"I claim and will always claim that there is no unconstitutionality in the powers entrusted to us by the House. However, we find that the alarm once started became general and had not subsided when we met. The motion of the honourable member for South Bruce manifested that unmistakably. We found that on a question of adjournment we were defeated; we found that on the vote of want of confidence we were defeated by a majority of one. Looking to the incomplete condition of this House in respect to the representation of the people in it we honestly felt that with a majority of one which was obtained after a lengthened discussion upon what we believed an unfair representation of the meaning of the Act, we

ought not to admit that as a proper verdict, believing that the unrepresented constituencies would send members who would take a different view of the matter. After the vote of last night we felt that we had no alternative left but to submit to the verdict of this House; and we did so without any reluctance." The Premier then referred to the establishment of the Provincial administration in 1867 and the special burden of responsibility it bore because of the lack of a Second Chamber. It was necessary, he said, to formulate the legislation so carefully that the ingenuity of counsel could not find a flaw in it. He continued: "I am happy to tell you that the legislation of the past four years has been such that we have had less amending of the Acts of previous Sessions than they have had at Ottawa where there is a Second Chamber. The Government do not claim all the credit of that because in this respect an Opposition is always useful to a Government, just as the lawyers are useful to the Judges on the Bench. As we are the only Colony that has had the management of its affairs confined to one Chamber it was gratifying to find that the experiment had been successful." The Premier dwelt upon the fact that after careful scrutiny the Public Accounts Committee had found no fault with the expenditure of public money and declared that the administration had been careful and efficient, more efficient than if it had been a Party Government. "We are about to go back to Party Government," he said. "I shall not join in that." The latter part of his valedictory was an apology for hard words he might have let drop in discussing public affairs with gentlemen opposite. In a brief reply Mr. Blake reciprocated saying—perhaps mournfully—"we have all sinned in this respect."

The composition of the new Ministry was announced on December 21st: Hon. Edward Blake, Premier and President of the Council without Portfolio; Hon. Alexander Mackenzie, Provincial Treasurer; Hon. Archibald McKellar, Commissioner of Agriculture; Hon. Adam Crooks, Attorney-General; Hon. R. W. Scott, Commissioner of Crown Lands; Hon. Peter Gow, Provincial Secretary. Mr. Scott had been elected Speaker under the former Ministry and during his brief incumbency of the office had precipitated a lively disturbance. He had been attacked by a newspaper, and had sought to answer the accusations in the House as if he were an ordinary Member speaking on a point of Privilege. Premier Macdonald stopped him, declaring that he had no private status in the Assembly, and that when he spoke he spoke for the House as a whole. On his resignation to become one of Mr. Blake's Ministers he was succeeded as Speaker by J. G. Currie, of Welland.

John Sandfield Macdonald was of resolute, perhaps even obstinate, temper. Even in his youth he had been restless under restraint and before he had reached his teens had established a record as a runaway. He had energy and ambition, and after several years of service as a shop clerk determined to study law. In two years he completed the work demanded for admission to the Law School, and in 1835 he was articled to Archibald

McLean of Cornwall, formerly Speaker of the Upper Canada Assembly. After Mr. McLean became a Judge of the Court of Queen's Bench, young Macdonald entered the office of W. H. Draper, and was called to the Bar in 1840. Only a year later, he was elected to Parliament for Glengarry and sat continuously in the House of Commons until Confederation, as private Member, Minister and even Premier. His ability was exceptional, his independence of thought and action were even more marked. Great frankness marked his utterances, and often they were tinged with sardonic humour that irritated his enemies and embarrassed his friends. He called his Coalition Ministry "a patent combination," and was tactless enough to declare openly that a constituency opposing him need expect nothing. Even the basic principle of most politicians need not be too openly enunciated.

Walter S. Allward's fine statue of John Sandfield Macdonald in Queen's Park, Toronto, was unveiled on November 16th, 1909. At a meeting held in the Legislative Chamber addresses of circumstance were made by Sir James Whitney, A. G. MacKay, K. C., Sir John Gibson, and D. B. Maclennan, K. C., and among the very distinguished company present was Mrs. Langlois of Quebec, daughter of the first Premier. Sir James Whitney as a young man had been a student in Mr. Macdonald's Cornwall office. He was able therefore to speak with knowledge. He cited the little-known fact that Mr. Macdonald was sent to Washington during the Rebellion of 1837 and 1838 with despatches for the British Minister and while there met his future wife, the daughter of Senator Waggaman of Louisiana. Sir James declared that Premier Macdonald was a man of great force of character who was always aloof from Party discipline and control. For that reason he was not a successful political manager, but no single act of wrong-doing in office to serve his personal ends could be charged against him. "Whatever may have been his shortcomings he was as pure a statesman as ever lived." Sir James contrasted the rigid economy in the management of Provincial funds with the generous and open-handed hospitality of Mr. Macdonald at his Cornwall residence "Ivy Hall." Mr. MacKay said that Premier Macdonald left behind him a record of integrity and honesty, the record of a blameless and unimpeachable public life. Mr. Maclennan who had been a law partner of Mr. Macdonald spoke in similar vein and then Sir John Gibson made this significant statement: "Perhaps, after all, his chief sin in Liberal eyes was that by means of his Patent Combination he was keeping out of power the Liberal Party who thought they represented the Province at large."

Mr. Macdonald was never physically strong. As a young man he was sent to New Orleans where he was expected to die. But although one lung was rendered useless by the disease, he recovered and lived for eighteen years in which period all his political parts were played. At the time of the election of 1871 he was unwell and during the summer of that year he had an attack of inflammatory rheumatism. After his defeat in the

House he seemed to lose his determination to live; he felt that he had been unjustly treated, that he had been the victim of treachery. In June, 1872, he died.

When the Sandfield Macdonald Ministry went out of office the Provincial Treasury had invested funds amounting to $3,095,645.99, which were yielding in interest $146,123.65. The total revenue of the Province for 1870 was $2,632,649.79. The expenditure on Public Works and Buildings had been as follows: 1868, $125,346.93; 1869, $248.620.72; 1870, $407,734.29; 1871, $432,071.65; a total of $1,213,773.69. Of this $105,337.77 had been spent on the building of Government House. The Asylum at London had been erected and the Toronto Asylum greatly enlarged; there had been expenditures on drainage and on river improvement, while navigation in the Muskoka region had been improved by the construction of a lock between Lake Muskoka and Lake Joseph. The assessed value of real estate in the Province as reported by the municipalities was $275,468,129 (about one-fourth of the present Assessment of Toronto). In the Province there were 989,053 cattle, 1,914,686 sheep, 578,268 hogs and 347,462 horses. The Department of Education was fully organized for the serving of 483,966 children of school age, but the average of teachers' salaries was still low; in rural districts it was $260 for males, and $187 for females; in cities, $597 and $231. There were 29 Mechanics Institutes with circulating libraries. Preparations were being made for the establishment of a School of Agriculture and Experimental farm, and 600 acres had been bought for the purpose at Mimico.

The census of 1871 showed that the Province of Ontario had increased in population during the preceding decade from 1,396,091 to 1,620,842. The record of the cities was as follows:

| | 1861 | 1871 |
|---|---|---|
| Toronto | 44,821 | 56,092 |
| Hamilton | 19,096 | 26,716 |
| Ottawa | 14,669 | 21,545 |
| London | 11,555 | 15,826 |
| Kingston | 13,743 | 12,407 |
| Front Counties: | | |
| Glengarry | 21,187 | 20,524 |
| Stormont | 18,129 | 18,987 |
| Dundas | 18,777 | 18,777 |
| Leeds and Grenville | 59,941 | 57,918 |
| Frontenac, Lennox and Addington | 55,349 | 54,018 |
| Hastings | 44,970 | 48,364 |
| Prince Edward | 20,869 | 20,336 |
| Northumberland | 40,592 | 39,085 |
| Durham | 39,115 | 37,381 |
| Ontario | 41,604 | 45,890 |
| York | 59,674 | 59,882 |
| Peel and Cardwell | 33,608 | 32,869 |
| Halton | 22,794 | 22,606 |
| Wentworth | 31,832 | 30,883 |

| | | |
|---|---|---|
| Haldimand, Welland, Monck and Lincoln .. | 76,321 | 80,159 |
| Norfolk ..... | 28,590 | 30,763 |
| Elgin ..... | 32,050 | 33,666 |
| Central or interior counties: | | |
| Oxford ..... | 46,226 | 48,237 |
| Perth ..... | 38,083 | 46,522 |
| Waterloo ..... | 38,750 | 40,251 |
| Wellington ..... | 49,200 | 63,290 |
| Brant ..... | 30,338 | 32,259 |
| Lanark ..... | 31,639 | 33,020 |
| Prescott ..... | 15,499 | 17,647 |
| Counties on the Upper Lakes: | | |
| Essex ..... | 25,211 | 32,697 |
| Kent, Bothwell and Lambton ..... | 56,099 | 79,581 |
| Middlesex ..... | 48,736 | 66,769 |
| Huron ..... | 51,954 | 66,165 |
| Bruce ..... | 27,499 | 48,515 |
| Grey ..... | 37,750 | 59,395 |
| Back Counties: | | |
| Simcoe ..... | 38,352 | 57,390 |
| Victoria ..... | 23,039 | 30,200 |
| Peterborough ..... | 24,651 | 30,474 |
| Russell and Carleton ..... | 36,444 | 40,083 |
| Renfrew ..... | 20,325 | 27,974 |
| Nipissing and sundries ..... | 7,010 | 15,728 |

The increase in the old counties for the decade was only about one per cent; in the central counties, thirteen per cent., along the Upper Lakes, forty-three per cent., and for the back Counties, thirty-five per cent. Arthur Harvey in commenting upon these figures in *The Canadian Monthly* * said:

"There seems to be a point at which population in the old counties stops, and it is probably reached when there are as many people farming the land as can profitably do so by their own labour, and without employing capital in underdraining, subsoil ploughing, or artificial manures. In the present state of the continent, with new lands still within easy reach, it possibly pays the farmer better to send his sons away to seek them than to strive to increase his crops by applying science and capital to the old farm."

*January, 1872.

# PART II.

# CHAPTER I.

## THE PROVINCIAL CONSERVATIVE PARTY

The Conservative Party of Ontario had its beginnings in the United States when the Revolutionists began a systematic pursuit of their Loyalist neighbours. Tar-and-feather parties were organized, midnight whippings by masked men were not uncommon, cattle were mutilated and barns were burned. In consequence of these outrages thousands of the best people in the Thirteen States sought the protection of the British flag in the wilderness of Upper Canada, their loyalty having been blown to a white heat by the winds of persecution. George III. is not now regarded with any superstitious awe; he was one of the dullest men of his generation. But he was a good man in a naughty world, an honest, reverent, indomitable personage with all the domestic virtues, which many critical Intellectuals are too aristocratic to adopt. He was regarded by his people with the liveliest affection, for the reason that all the traditional English characteristics, which include courage, personal honour—and perhaps some grains of stupidity—were embodied in his Royal person. A true Loyalist of those times would have journeyed to Timbuctoo if necessary to retain the honour of being a subject of this good British King.

It is not surprising that the Loyalists saw in a revolutionist, a radical, or a reformer merely a potential Judas Iscariot and regarded the American rebels with hot indignation. Thus, throughout the formative period in Upper Canada, they were in steady support of the King's Government whether it was efficient or not. When an Opposition arose in the Assembly, headed successively by Mallory, Weekes, Thorpe and Willcocks, it had no countenance from the old Loyalist refugee families. They despised innovation and innovators for they had memories of dark days in the old Colonies. Grandfathers and grandmothers sitting before the fireplace told the horrid tales to the children and confirmed the children in the way of faithfulness. Through all the story of political conflict from 1804 to the War, and from the War to the Rebellion of 1837, there is not a single reform leader coming from Eastern Ontario. From Glengarry to Kingston the people were unmoved. From Kingston to York only Lennox and Addington had Liberal tendencies. In the Western peninsula of the Province the Loyalists were not so compact as in the East, and they had for neighbours, settlers who had come from the United States after Lieutenant-Governor Simcoe's Proclamation, or immigrants from the British Isles, who had no prejudices against agitation and saw no objection to complaint at Governmental inefficiency or arrogance. For them innovation was not necessarily the first step towards republicanism.

The Conservative Party as it finally appeared in the Union Parliament was jealous for the maintenance of British sovereignty and resisted stolid-

ly the schemes of Reform leaders, not so much because it considered the schemes undesirable, but because it distrusted the men who proposed them. Just as the pre-Union Tory lumped all Liberals under the generic name of Rebels, so the Conservatives of a later time questioned the good faith of Scotsmen and Irishmen who as journalistic or popular tribunes revealed Radical tendencies. Yet it is not true that the Conservatives were lacking in the Progressive spirit. The expenditure of large sums for public works had their approval; the man who above all others was responsible for the construction of the Welland Canal was a fervent Tory, but by no means a reactionary. Indeed this heavy undertaking had a relation to the Great Thought which dominated every Tory mind. The construction of the Erie Canal threatened to divert all the products of the western peninsula to American ports and leave Lake Ontario and the St. Lawrence a desert of water; it threatened also by making Canada tributary to the United States to make annexation a future possibility. Every project for the betterment of transportation since 1829 — canals, harbour works, and railways—was carried through with the intent of maintaining Canada as a British community, independent of American politics or tariffs. A Conservative promoted the Northern Railway; Conservatives made the construction of the Grand Trunk possible; a Conservative, perhaps the most uncompromising of them all; namely, Sir Allan MacNab, pushed through the Great Western; Conservatives secured the building of the Canadian Pacific; Conservatives first improved the harbours of Montreal and Quebec and buoyed the Lower St. Lawrence. Optimistic Progressive-ism was uppermost in every Tory mind, because a self-reliant Canada was a necessity if British connection was to be maintained.

Sir John A. Macdonald, who came to the leadership of the Conservative Party under the Legislative Union, by sheer native ability, was an Eastern man. He had a perfect knowledge of the mental processes of his neighbours east and west of Kingston, and while he was ready to adjust his policy in minor details to suit the exigencies of the time and to attract a larger following, on one question he was adamant. For him Canada's connection with the British Empire was a precious relationship to be continued at all hazard. To the fact that this determination was known he owed the steady support of the Loyalist counties—aside altogether from that remarkable gift for leadership which made him the dominant and best-beloved figure in any company. The Party as constituted in the country after the first four years of Confederation included High Tories after the MacNab model, Moderate Conservatives with more than a suspicion of Liberalism in their mental make-up, Baldwin Liberals who disliked the autocracy of Hon. George Brown and had many of the characteristics of the English Whigs, and French Canadians who disliked the Radicalism of the *Rouges*. Sir John drove this four-in-hand with facile hand, chirrupped to one or the other as occasion might arise, but carried a whip only for ornament. All four loved the coachman, but each for a different reason.



STATUE OF SIR JOHN A. MACDONALD, G.C.B.

At the organization of the Province of Ontario, Sir John approved a Coalition under John Sandfield Macdonald in the hope that Party warfare might be restricted to the Federal House. Mr. Brown, for the reason that Sir John favoured that sort of local administration, as well as for the dislike he bore to Sandfield Macdonald, was in opposition to the plan and set himself with the aid of Edward Blake and Alexander Mackenzie to capture the Provincial Legislature for the Liberal Party. The plan succeeded to admiration.

In the first Legislature R. W. Scott of Ottawa considered himself as the special representative of the Ottawa Valley lumber interests, and his Party relationships were distinctly a secondary affair. He was interested in securing for the Canada Central Railway from Ottawa to Pembroke (now a part of the Canadian Pacific system) certain grants of land to which the Company was entitled by the terms of its Incorporation Acts. Whether the grants should come from the Dominion or from the Province was a matter of indifference to the Company and to Mr. Scott, but of great moment to Sandfield Macdonald, who was resolved that they should not be Provincial. Although Scott was a supporter of the Administration, and in Federal affairs a Conservative, Sandfield Macdonald did not consider himself under any obligation to please him by furthering in the least degree the plans of the Ottawa lumber and railway interests. Scott in a letter marvelled at this "senseless hostility to Ottawa," but still found his pleas and arguments broken on the Premier's granite obstinacy.

As the Provincial elections of 1871 drew on there was some doubt if Mr. Scott would appear again as a candidate favourable to the Administration. Sir John Macdonald used his influence through Hon. John Carling to induce "Sandfield" to agree to a submission of the Canada Central dispute to the Courts for a decision, to which arrangement Mr. Scott was agreeable. Thus Scott appeared as a Government candidate and was re-elected. After the General Election the Premier offered to him the Speakership. At first he was doubtful about accepting the honour, since he would be removed from the floor of the House and would be unable to act as an Ottawa Valley champion in debate. Finally he consented, and at the opening of the House was elected to the office. Almost immediately he was in trouble over the constitutionality of his action in attempting to answer from the Speaker's Chair a newspaper attack upon him. The Premier opposed him and the relations of the two men were still further embittered.

After the resignation of the Sandfield Macdonald Ministry Scott wrote to Sir John Macdonald (*) declaring that the Premier had been unequal to the management of the House from the start. "He has now no followers. His race is run. With the commonest tact he could have ruled for four years." Mr. Scott then informed Sir John that he had been approached by Blake and Mackenzie with the suggestion that he should accept office in the new Cabinet. "I told them," he said, "that I feared it might be used

*Pope: Correspondence of Sir John Macdonald.

against my friends at Ottawa, and if so, I could not favour it. They made all sorts of protestations and assurances that it should not, and that if they had anything to do with the formation of a new Government, I might rest assured that there should be not only no antagonism, but every effort would be made on their part to make it politically neutral to the Government at Ottawa ..... Yesterday Blake sent for me and said he was most anxious for me to join his Cabinet, offering me any portfolio I chose to name. I told him it was impossible; that my alliances with yourself were of such a nature that they were insurmountable. He said again and argued earnestly that the best feeling should prevail between the Governments at Ottawa and Toronto, and that my going in would be the best security that the Local Government should not lend its influence against you at the next election; that I should be myself the guardian of the interests of my friends; that if I declined he would have to take in representatives west of Kingston." Mr. Scott considered that if the new Government was to be a western one it might be ruinous to the trade, and he informed Sir John that he thought he could tone down matters by his presence in the Cabinet. He added: "You see there is the lumber trade, of which I have always been the special representative. There are railway interests in the Ottawa country. I am bound in honour to see the Canada Central get its rights as I am mainly responsible for the expenditure of the half-million of English capital that has gone in. Then again there is this question of the Municipal Loan Fund, Ottawa being in debt to over $260,000."

Before Sir John could answer this letter Mr. Scott was sworn in and the news had reached Ottawa. Sir John intimated in a telegram to the new Minister that it would be wise for him to have his arrangement with Mr. Blake in writing. The Dominion Premier then wrote to M. C. Cameron, who was destined to be the Opposition leader, pointing out that the new Administration was actually a Coalition, and suggesting the wisdom of dwelling upon the fact, since the Liberal leaders were fully committed against Party unions. He thought it would be well always to refer to the Ministry as the Blake-Scott Government. The political sagacity of the suggestion cannot be denied. In our eyes it seems curious that Sir John did not complain that Mr. Scott, a man looking for something from the Department of Crown Lands, had been given charge of that very Department. In these days such an arrangement would not be tolerated and an Opposition could not ask for a better fighting issue. It is not suggested that Mr. Scott made improper use of his position; he was a man of high character. But at least the circumstances were inviting for an Opposition orator on the hustings.

Mr. Blake had merely followed the policy of Sir John in Federal affairs; that of detaching men of importance from the ranks of his enemies. *The Globe* was accustomed to speak harshly of Liberals who had "yielded to the blandishments" of Sir John. Mr. Scott, always a Conservative, had yielded to the blandishments of Mr. Blake, and soon was as vigorous a Liberal as might be. Hon. Oliver Mowat said that he was as good a Re-

former as any in the Country. He was Secretary of State in the Mackenzie Administration by 1873, and had a similar office in the Laurier Cabinet a quarter of a century later. The Courts declared in 1873 that the Province was liable for the Canada Central land grants.

Mr. Blake sincerely believed that the political disputes in the Ontario House might be circumscribed so that they would not obtrude into the Federal field of argument. He looked upon the Provincial Legislature as a magnified County Council and considered—as his subsequent action showed—that the proper place for a man of talent was at Ottawa. Like many other public men of both Parties, he believed that Party warfare over ditches and watercourses, roads and bridges, agriculture and education was unnecessary, and might be eliminated with advantage. He had no intention of using his Provincial patronage as an engine for the overthrow of Sir John A. Macdonald. Mr. Mowat, his successor, was of the same mind.

Hon. George Brown had different views and although he was no longer a Member of Parliament he was still in public life. As the Editor of *The Globe* his influence and prestige dominated the Liberal Party. He saw no reason to strike softly in the battle against "John A.," whom he regarded as a malignant and dangerous personage, and he forced the Ontario Government into a position of hostility towards the Ottawa Tories. His relations with Blake were not always smooth, while he was imposing his will upon the Liberal leader, and there is a shadowy story that the differences between himself and Oliver Mowat on this very question, once flamed into a quarrel which was settled with difficulty.

The Blake Administration had only found its feet when there was a Federal Election. Writing to Lord Lisgar on Sept. 2nd, 1872, Sir John Macdonald said: "The Local Government used all its power, patronage and influence to defeat us. They forced the great lumber merchants who depend upon them to subscribe large sums." Mr. Scott's "toning-down" process evidently had not been successful. In October Oliver Mowat became Premier and Sir John wrote to him as follows: "I hope that the relations between the Dominion Government and that of Ontario will be pleasant. There is no reason why they should not be so. Blake announced on taking office that he was going to pursue that course but I fear he allowed his double position under the dual system to affect his mind prejudicially." Premier Mowat replied on October 29th: "I heartily concur in the hope which you express that the relations between the Dominion and Ontario Governments may be pleasant. I shall do my best to carry out in this respect the principle which you remind me was announced by Mr. Blake on the formation of his Government last year, and I shall be very glad indeed to find it practicable to maintain agreeable relations with all my old friends whatever from time to time our respective political connections may happen to be." It was little more than a pious hope, for a few years later Sir John wrote to a correspondent: "Mowat allowed himself to get mixed up in Canadian politics." In other words, he had been forced by George Brown

and his following to play the political game from alpha to omega, and the Party System was built into the constitution and practice of the Province.

The Conservatives accepted the situation and their newspapers, particularly *The Toronto Mail*, founded in 1871 by T. C. Patteson, were severe in their strictures upon the Provincial Liberal Administration. Their chief complaint was "the complete destruction of principle by the formation of a Coalition after denouncing Coalitions for five years; wholesale corruption, jobbery and nepotism;"—that is, one definite charge and a series of nebulous accusations. The Conservatives in the House were not lacking in zeal but they were handicapped by the political and administrative ability of the Blake and Mowat Governments, by the insistence of Liberals throughout the country that "a business administration," rather than a political one was contemplated, and later by the failing prestige of Sir John A. Macdonald, the National Conservative Leader.

Some of the comments of *The Mail* in this formative period had the whimsical individuality of T. C. Patteson while losing nothing in vigour; "The Ontario Government is blowing office-holders from the cannon's mouth. Gardeners, land valuators and clerks—all who do not bow at the political altar at which the Government worship—are sacrificed in a manner that would almost lead one to believe that Messrs. Mackenzie and McKellar were taking sweet revenge on behalf of their forefathers for the massacre of Glencoe." It was *The Mail* which dubbed Oliver Mowat a political Rip Van Winkle, since he had been sleeping on the Chancery Bench for five years before becoming Premier of Ontario. It said that his descent from the Bench to engage once more in politics "contravened all precedent, shocked public morality and was an outrage on decency."

Of course it did nothing of the sort, but the fact that *The Mail* and the Tories had such an opinion and expressed it with fervent rhetoric on all occasions testifies to the normal bitterness of feeling between the Parties. The community of interest between Sir John A. and Sandfield Macdonald had reconciled the Conservatives to Sandfield, particularly as he was disliked by George Brown. (*) The Editor of *The Globe* had constituted himself as the Dictator of the Liberal Party. The test of orthodoxy which he applied to all who called themselves Reformers was their willingness to oppose Macdonald and the Federal Ministry. The many Conservatives who regarded John A. with affectionate admiration entertained a cordial hatred for Brown and all his following, particularly for Edward Blake. Thus when the Conservative Party of Ontario went into Opposition it had all the spirit and all the deep-seated anger required to make it effective in criticism and not too scrupulous in the manner of its attack.

*George Brown and Sandfield Macdonald had not been in friendly relationship since the days of the brief Brown-Dorion Ministry. It seems that a tentative legislative programme drawn up and approved by that Cabinet included the abolition of Seigniorial Tenure in Lower Canada and the payment of the Seigniors of compensation for their prospective losses by the change. After the downfall of the Government a successive Administration introduced that very measure and Mr. Brown vehemently opposed it. At this Mr. Macdonald declared openly that the Liberal leader agreed to adopt the same policy if he had been able to retain power. There was an instant denial and the dispute went so far as to the calling of witnesses, some of whom supported Macdonald, and some, Brown. The misunderstanding put an end to any cordiality in the relations of the two Reformers.

Of the Conservatives in the House the most eminent was Matthew Crooks Cameron, who had been a member of the Sandfield Macdonald Government. He was a successful lawyer, refined in manner and address, and of intellectual distinction. His hair was brushed roughly back from his wide brow; he wore the "Imperial" with an air, and his dark eyes had a commanding quality. It is said that in cross-examination no other man at the Bar was his superior. In the House he was heard with attention and respect, for he had the wit to discover weaknesses in Government policy, and the legal training to uncover faults of drafting in proposed legislation. The demands of his profession made it impossible for him to cultivate the country and the Party to a sufficient extent, but he was recognized as a formidable Parliamentary antagonist, and his moderation in debate added to his strength. He was aristocratic in temper and his fastidious taste militated against his success as a Party leader. On one occasion (in 1861) he had consented to run for the Mayoralty of Toronto, but he definitely refused to be assiduous and untiring in the gentle art of shaking hands—despite the pleading of his friends—although his political career had begun with a year's service (1859) as a Toronto alderman. Of course he was defeated. He was a Member of the Canadian Parliament for North Ontario from 1861 to 1867. Mr. Cameron neglected no opportunities and as a good tactician directed his batteries against the weakest point of the enemy's line. Hon. Mr. McKellar had many explanations to make, particularly with respect to the establishment of the Provincial Experimental Farm. During the administration of John Sandfield Macdonald, Hon. John Carling had purchased 591 acres at Mimico, but in the eyes of Mr. McKellar and his associates the place was unsuitable. A soil-analysis confirmed their opinion—conveniently, the Tories said—and a roving commission spent over $1,200 in searching for another site. Ultimately Mr. Fred Stone's farm at Guelph, 550 acres, was purchased for $70,000. Besides this, incidental expenses attendant upon the change of site, amounted to $7,833. The cost of the Mimico property had been $45,728; the difference was so considerable that the Minister was harried without mercy and Mr. Cameron divided the House. On this occasion the Government had a majority of only nine. The normal state of the parties was better shown in the division over the Timber Land sale by Hon. Mr. Scott. On this occasion, February 19th, 1873, the Government had 51 supporters and the Opposition 17.

A typical editorial in *The Mail* dealing with this special soil-analysis appeared on May 10th, 1872: "Analyst Mills did not carry a hatful of gravel from Mimico to Michigan to find therein a condemnation of Mr. McKellar's job. Who is this Professor Mills and what of his analysis? Is he better acquainted with the character of the 600 acres at Mimico than the gentlemen who farmed there for years? He may know as much of the land as Senator Christie's cabal who visited it when it was covered with ice and snow, but is his opinion of more weight than that of Professor Buckland? Can Kalamazoo measure Mimico with a blow-pipe, or from a sod of turf

work out the number of bushels to the acre? 'Come, curse me Mimico! Come, condemn me Carling! Come, refute me, Buckland!' said Mr. McKellar, and by the Man from Michigan was it done. Hurrah for the Grits, and no jobbery!"

Dr. Goldwin Smith reviewed in *The Canadian Monthly* (for April, 1872) the one Session under the Blake Ministry and was severe in his criticism of the recriminations bandied to and fro. Concerning the charge that Hon. Mr. Blake had used improper means to bring about the resignation of Hon. E. B. Wood of the former Ministry he pointed out that the accuser declined to appear before the tribunal constituted because he was not satisfied with the form of the investigation. "When there are no facts before the House, he who impeaches the character of another member must not refuse to connect his own name with the impeachment. The liberty of moving for a fishing committee, to collect the materials of an indictment would be liable to the gravest objection."

Dr. Smith continued: "Altercations renewed till the public was more than weary of them and inquiries instituted with little prospect of a definite result, have brought to light just enough to confirm us in the conviction that public life, if it is the highest of all callings, is the lowest of all trades, and that while there are some public men who embrace the calling, there are others who ply the trade. In these skirmishes and generally throughout the Session the new Opposition appeared in a very unorganized condition. The allegiance of the party having been withdrawn from, or declined by, its former Chief, the lead was assumed, though not very definitely, by a member universally respected for his integrity and conscientiousness, but who, as a tactician, failed to carry the party with him. His tactics appeared too forensic for a political assembly. Extreme tenacity in fighting every possible point, however secondary and however doubtful, may be the duty of an advocate and may gratify a client, but it never fails to produce a bad effect on statesmen. A prudent leader will carefully select the issues on which victory is attainable or battle unavoidable and will husband the pugnacity of his party for the decisive field. Such caution is especially necessary at a time when the party is discouraged by recent defeat and mistrustful of the strategy of its chief." Dr. Smith intimated that party politics was likely to degenerate into faction unless there was a marked difference of view on some important principle of Government. He asked what was the particular principal agreement which held either of the parties together in Canada and concluded that Canadians imported their fashions rather blindly, in politics as well as in building, food, and dress. He considered that in Canada party could have no permanent justification, no lasting guarantee against corruption.

More than one Englishman has held the view, because the terms Liberal and Conservative have not answered the same definitions here as in Great Britain, that there is no difference between the parties. It has been a super-

ficial judgment, probably justified by appearances but made without knowledge of the historic conditions. A mere observer could not be expected to know that in the high disputation of a Liberal and a Conservative over some minor point of administration the Conservative is moved by a latent distrust (inherited from his grandfathers) of a Party that has produced more than one enemy of British connection and that has been consistently favourable towards closer national association with the United States. Although the Liberal Party can claim with justice that the cultivation of international amenities need not connote a love for republican institutions, the Conservative holds that he has the right by inheritance and by experience to regard Honourable Gentlemen Opposite with suspicion, justified or not.

Among the prominent men of the Conservative Party in the Second Legislature were the ardent Orangemen, Thos. R. Ferguson of South Simcoe, Henry Merrick, and Herbert Stone Macdonald, Q. C., the last-named being Grand Master of the Eastern Ontario branch of the Order, and at the same time deputy-leader of the Party. Mr. Macdonald at the Session of 1873 introduced Bills to incorporate the Loyal Orange Associations of Eastern and Western Ontario respectively and precipitated a lively debate. All the Ministers save the Premier opposed the Bills, but they were carried. Then Mr. Mowat reserved them for Her Majesty's pleasure — in other words, invited the opinion of Sir John Macdonald as to whether or not they should be passed. No one can deny the political art of Premier Mowat. By voting against these Bills he satisfied his Presbyterian conscience and contented his co-religionists; by withholding them from signature by the Lieutenant-Governor, he satisfied the Roman Catholics who had already approved the action of his Ministers. By sending them to Ottawa he embarrassed his chief enemy, though not for long. Sir John sent them back saying that disallowance was reserved only for Bills that were beyond the constitutional powers of the Legislature. In the next Session the Government passed an Act respecting Benevolent, Provident and other Associations, and when the Orangemen renewed their application for incorporation Mr. Mowat told them that they could incorporate under the general Act. On the ground that special legislation was unnecessary he could vote cheerfully against the Order without alienating his Protestant friends.

Against such supreme political finesse the Conservative Party was helpless. As a consequence of Mr. Mowat's action the "Catholic vote" was consolidated in his favour. He already had assurance of the "liquor vote" through a centralized license administration, and his personal sympathy for nonconformist morality gave him for years the Prohibition vote. No man could have asked for more!

Mr. Cameron's colleagues were few, and for the most part they were but feeble luminaries. The Opposition as a whole was constantly sensible

of its weakness in comparison with the battery of Parliamentary howitzers on the Speaker's right. Next to Mr. Cameron the most powerful opponent of the Government was not a Member of the House—T. C. Patteson, the acute and witty Editor of *The Mail*. In summing up the Session of 1873 *The Mail* said: "McKellar only needs rope enough to hang himself. Mr. Scott has already strangled himself in the good opinion of everybody except the lumberers. Mr. Mowat, unable to resist their corruptions, will go down with them. Mr. Crooks is just what was expected of him, a political failure of the first water. Mr. Pardee is a good-natured fellow who does not bother himself very much and who, we fancy, if the truth were known, is about as heartily sick of the acts of his own Government as Mr. Currie, who has just resigned the Speakership in disgust. The Province owes a lasting debt of gratitude to the good men and true who have stood by and protected its interests during the Session. Mr. Cameron has displayed qualities of leadership of the highest kind. He has done noble service, and he has been most ably sustained by his lieutenants, Messrs Rykert, Lauder and Macdonald, while the scathing criticisms of Mr. Boultbee have been damaging in the extreme. Mr. Mowat has carried his Government through one Session—it would have been strange indeed if he had not—but it has been sadly bruised and scarred in the fight and the day of its burial is not far off." *The Mail* was better in battle than in prophecy.

Whether or not Mr. Cameron's tactics as a leader were all that could be desired the fact remains that at the General Election of January 19th, 1875, the first straight Party fight in the history of the Province, the Opposition greatly improved its position in the House. The Mowat Government had had the advantage of a good record which included the settlement of the Municipal Loan Fund, the establishment of an Agricultural College and Model Farm, the improvement of the institutions for the care of imperfect citizens and public charges, and the aiding of railways designed to give convenient transportation to every part of the Province. It had also the political advantage which came from the eclipse of the Conservative Party in the Federal House by reason of the Pacific Scandal and from the patronage and influence wielded by the Mackenzie Administration at Ottawa. Yet the results of the election gave the Opposition 33 members as against 51 supporters of the Government and 4 Independents.

The new House opened on November 24th, 1875, when Rupert Mearse Wells, of South Huron, was elected Speaker. Mr. McKellar, who had been a constant target for Conservative criticism, had retired from the administration to become Sheriff of Wentworth and was succeeded by Hon. S. C. Wood. The Government measures included the Crooks Act, which took away from the municipalities the power of naming License Commissioners and License Inspectors and vested it in the Provincial Executive. It provided also that a village of 1,000 inhabitants should not have more than four tavern licenses, and that communities above that population should not have more than one license for each additional 400 people. There were

persons who regarded this legislation as a long step towards control of the liquor traffic, and yet if that law were now in force the City of Toronto today would have the right to suffer more than 1,500 saloons. Times change, and manners with them.

After the election of 1875 the constituency of South Simcoe was vacated by the death of the Member, and Hon. William McDougall was successful in the by-election. His adventures in the West had not yet damaged his prestige. Although formerly a Liberal he was now a strong supporter of Sir John Macdonald, and already, in a series of open letters to Mr. Mowat, had warned him that the action of the Legislature on the Boundary question was beyond its constitutional authority. There were some admirers of Mr. McDougall who expected him to terrify the Premier and his Party into a modest subservience, and at the same time to supplant Matthew Crooks Cameron in the Conservative leadership. All were disappointed. Mr. McDougall brought no strength to the Opposition; he had promised large things, but promise and practical action were not to be harmonized.

In 1878 Mr. Cameron was appointed a Judge of the Court of Queen's Bench and after six years became Chief Justice of the Court of Common Pleas. Soon after being honoured with a knighthood he died, at the residence of his son, Dr. I. H. Cameron, on June 25th, 1887. The members of the Toronto Bar attended the funeral in a body. At a preliminary meeting Hon. Mr. Mowat spoke of Sir Matthew in terms of the highest praise. In political life, said the Premier, he had been the leader of an opposing faction, but he was always conscientious and courteous and had proved a powerful opponent. It would be difficult to find a Judge to succeed him, as laborious and altogether as able.

After the Dual Representation Act was passed Hon. John Carling was elected to sit in the Federal Parliament. He was succeeded in the Legislature by William Ralph Meredith, a lawyer of London, whose high ability was soon recognized. When Mr. Cameron went to the Bench in 1878 Mr. Meredith succeeded him as Leader of the Opposition, being elected unanimously at the first caucus of the Session of 1879. C. R. W. Biggar's *Sir Oliver Mowat* says that there was no man in the ranks of the Opposition upon whom the choice could more worthily have fallen. Mr. Meredith at great personal sacrifice devoted himself to politics, and he was in many respects an almost ideal Leader. "His industry was untiring and his knowledge of political affairs exhaustive and complete. Always ready in debate, and judicial in the tone of his arguments, he was a generous and formidable opponent. Especially in Committee of the Whole House where details of legislation are worked out and party issues are for the moment forgotten, Mr. Meredith's services to the Province were simply invaluable. His popularity was great. *The Montreal Witness,* a Liberal journal, declared him to be perhaps the most popular public man personally we have ever had in Canada, and the House testified its appreciation of his services by voting him a salary of $2,000 per annum, which, however, he declined to accept. Unfortunately,

however, for Mr. Meredith, especially during the later years of his leadership he was trammelled by political alliances of such a character as to make him a Governmental impossibility in Ontario. His attacks upon the Separate School System and the use of the French language in the public schools alienated from him and his followers a large measure of Roman Catholic support. On the question of Provincial rights he upheld from first to last the cause of the Dominion Ministers. He supported and justified their repudiation of the Boundary award, their disallowance of the Act respecting Rivers and Streams, and their transfer of Provincial railways to Dominion control. His conception of the intention of the British North America Act was in fact similar to that of Sir John A. Macdonald, which would have reduced the Provincial Legislatures to the level of County Councils. As a natural result he was for years on the unpopular side, but his indomitable courage never failed. Now that the smoke of battle has cleared away we are better able to judge the wisdom which underlay many of his suggestions when they were not influenced by the exigencies of Dominion politics. Like the Hon. M. C. Cameron, Mr. Meredith was not in entire sympathy with his environment: Mr. Cameron, because he was more Tory than his followers; Mr. Meredith, because he was what a recent biographer of the late Lord Beaconsfield calls 'an aristocrat-democrat.' Almost alone among his followers he demanded manhood suffrage years before the country was ripe for that measure: he declared himself in favour of the appointment of County officials; registrars, sheriffs, license commissioners, etc., by County Councils instead of by the central Government; he advocated biennial sessions of the Legislature after the example of some of the American States, and he was an active advocate of Labour legislation. Again, like Mr. Cameron, he was not sufficiently patient with the slower mental processes of less active intellects among his followers. The caucuses of the Opposition during his leadership too often resembled those held in Ottawa, under the leadership of Hon. Edward Blake. It was a case of 'Eclipse first and the field nowhere.' The Party leader had made up his mind and the rank and file of the Opposition, though somewhat reluctantly, had to follow." Mr. Biggar's summary is fair and generous. The writer of a biography is wise not to minimize the strength of his hero's opposition, especially when the hero is triumphant.

Generally the majority of Ontario people disliked the notion of making the Provincial Legislature a mere adjunct of the Federal Parliament. For one thing, the Government of Canada had a race-and-creed issue continually before it; plans and policies had to be devised at Ottawa which would hold the balance fairly between French Catholics and English Protestants. The Province of Ontario at that time was all but homogeneous in speech; it had had experience under the Union of policies of compromise and here at last was an opportunity of regulating its internal affairs in full accord with the prevailing opinion of the Province. Again, Ontario realized its position as the dominant partner in Confederation and had developed a Provincial patriotism, a feeling of self-sufficiency; so that Federal super-

vision was regarded as interference. Liberals had complained effectually during the Premiership of John Sandfield Macdonald that the Government was an appanage of the Ottawa Administration and had regarded the ascendancy of Mr. Blake and then of Mr. Mowat as a guarantee against the renewal of such a relationship. Thus, while a Conservative Government sat at Ottawa, the natural tendency was to maintain a Liberal Government at Toronto, particularly as the Provincial Liberals could not interfere with the Dominion fiscal policy. From the time that Sir Wilfrid Laurier came to the Federal Premiership, the local Liberal Government declined in strength and for the last six years of the Laurier régime, a Conservative administration dominated the Provincial Legislature. Throughout the period of Liberal ascendancy in the Province thousands of Conservatives supported Mowat, Hardy and Ross; similarly Sir James Whitney in turn commanded the votes of very many Liberals while Sir Wilfrid Laurier was Premier of the Dominion. For that reason an Ontario Opposition has always found its task difficult, however competent and distinguished the Leader.

It was in Mr. Meredith's time that the Liberal Party of Ontario petrified into a complete Toryism, despite its name. Mr. Mowat was cautious to the last degree, slow to move and distrustful of change. At the same time he had a taste for centralization of authority and left but little to the County Councils. On the one question of concentrating License Law administration at Toronto Mr. Meredith perceived the danger of making the control of the liquor traffic subject to any political party and events proved his fears to be well-grounded. A time came when the License Administration became a political machine wholly objectionable to right-thinking people—although it is only just to say that the result did not appear in its worst phase until after Mr. Mowat had withdrawn from the Premiership in 1896.

Four men of genius in political leadership have appeared in English-speaking Canada, Sir John Macdonald, Sir Wilfrid Laurier, Sir Oliver Mowat and Sir James Whitney; each with authority to compel the Party to his way of thinking and with personality to demand and receive the approval of the country. Sir William Meredith, who is remembered as one of the ornaments of the Bench, had a radiant and attractive personality, but in the judgment of the writer, he lacked the dominating or domineering quality which makes the true Captain-General, whether in politics, in business, or in military life. Too many minds were engaged in settling the policy of the Conservative Party while the Mowat Government was in power, and some of these minds were of minor grade.

On half a dozen issues during the leadership of Mr. Meredith the Conservative Party found itself on the unpopular side. Mr. Mowat was a consummate politician; he knew the sentiment of the Province to a nicety and he was no stranger to the art of jockeying his opponents. He dug pits for the Opposition and the very straightforward energy of the Leader did the rest. Everyone loved Mr. Meredith, friend and foe alike, but many who praised him voted for the Government. Mr. Meredith's first deputy in the

leadership was Hon. Alexander Morris, who had been a member of the pre-Confederation Parliament. He had sat for Lanark in the Federal House of Commons from 1867 to 1872, and for the next five years was Lieutenant-Governor of Manitoba. Soon after coming to Toronto to live, Mr. Morris was elected as the Member for East Toronto, in the room of Hon. M. C. Cameron, translated to the Bench. His first official action in the Session of 1879 was to move an amendment to the Address blaming the Ministers for having taken part in the Federal election of 1878. This complaint and a general criticism of financial affairs formed the only ammunition in the Conservative bandoliers when the House was dissolved. The General Election held on June 12th, 1879, was not encouraging to the Conservative Party. The electors gave clear proof that their strong support of Sir John Macdonald in Federal affairs was no criterion for judging their opinions concerning Provincial issues. Mr. Meredith had not been long enough in harness to impress the public.

The feature of Government policy during the Sessions from 1881 to 1883 inclusive was the conflict with the Federal authority over the Rivers and Streams Bill. Mr. McLaren, a lumber merchant who owned timber-limits along the Mississippi River, flowing into the Ottawa, built a dam and slide to overcome a cataract and get his logs to the Ottawa without damage. Boyd Caldwell and Co., who had limits farther up the stream, used the slide until prevented by an injunction granted by Chancellor Proudfoot. Premier Mowat considered the restriction unfair and introduced legislation compelling McLaren to grant the use of his slide subject to the payment of tolls to be fixed by the Ontario Government. The case was complicated by the fact that McLaren was a Conservative and Caldwell was a Liberal, and the Opposition naturally sided with the Federal Government in disallowing the legislation.

On the eve of the General Election, which was held on February 27th, 1883, a four-page campaign sheet entitled "Facts for Irish Electors" made its appearance. It was a direct appeal to Roman Catholics, apparently by one of their number (*) to give their support to Mr. Meredith because Mowat had always been their enemy. In support of this statement it cited the fact that all the higher positions in the civil service were filled by Protestants and it quoted from old declarations by George Brown, to show that the Liberal Party had always been offensively anti-Catholic. It has been said that the proof-sheets of this pamphlet were read by Mr. Meredith. They may have been sent to him, but he always declared that he had never seen them. The Liberals, who were wiser in their generation than the Children of Light, immediately reprinted the "Facts" in facsimile and broadcasted the publication in order to get the "reverse advantage" among stalwart Protestants. It seems strange that those responsible for the original document could not have foreseen such an action. Whether or not the

*The authorship has been attributed to Captain Kirwin, a veteran of the Franco-Prussian war, and an Irish Catholic, whose support of the Conservative Party was most fervent.

"Facts" were responsible, the General Election gave the Opposition a stronger force in the House. The Government majority was reduced from 23 to 12.

The Conservative Party which had troubles enough at this time was still further embarrassed by the folly of some of its outside supporters. In March, 1884, two Members of the House, Robert McKim of West Wellington, and W. D. Balfour of South Essex, reported by letter to the Speaker that John A. Wilkinson had given them bribe-money to induce them to vote against the Government. The first named had received $1,000, the second, $800, and the money was enclosed in the letters to the Speaker. The Premier then declared to the House that Wilkinson, in company with Christopher Bunting, managing editor of *The Mail,* Edward Meek, a Toronto barrister, F. S. Kirkland, of Wisconsin, the legal representative of certain timber and mining companies, and Frederick Stimson, *alias* Lynch, had conspired to defeat the Government by bribing Members, and moved a reference of the case to the Committee on Privileges and Elections, which the Opposition unanimously approved. The Committee in turn recommended the appointment of a Judicial Commission to continue the inquiry after the rising of the House. The Commission, which consisted of Mr. Justice Proudfoot, Judge Senkler, of St. Catharines, and Judge Scott, of Brampton, reported in January, 1885, that the accused had attempted to bribe, with money, or with public offices in the Northwest Territories (under control of the Federal Government) Robert McKim, John Cascaden, of West Elgin, Dowling, of South Renfrew, Balfour, of South Essex, and Lyon, of Algoma. None of the Conservative Members of the House had been implicated in the alleged conspiracy. Bunting, Kirkland, Meek and Wilkinson were acquitted before Chief Justice Adam Wilson in the York Assizes.

After the acquisition by Canada of the Hudson's Bay Company's territory arrangements were made between the Federal and the Provincial Governments for the leisurely delimition of the northern and western boundaries of the Province. Eugène E. Taché, of Quebec, was named as Federal Commissioner and Hon. William McDougall as Commissioner for Ontario. In March, 1872, the Dominion Government instructed Mr. Taché to locate the western boundary at west longitude 89 degrees, 9½ minutes—where the international boundary would be intersected by a line drawn due north from the junction of the Ohio and the Mississippi Rivers. Mr. Blake, then Premier of Ontario, objected, declaring that the finding-line should be drawn northward from the source of the Mississippi River. Sir John Macdonald suggested a reference of the case to the Judicial Committee of the Privy Council, but Mr. Blake stood out for reference to a Commission sitting on this side of the Atlantic.

The view of the Federal Government was based on the Quebec Act of 1774 when the boundaries of the old Province of Quebec were enlarged so as to include various French settlements in the far west which were without any system of civil government. The Act fixed the southern boundary of

the Province as extending from the Bay de Chaleur to the confluence of the Ohio and the Mississippi, and thence northward to the southern boundary of the territory belonging to the Hudson's Bay Company. The Dominion interpreted "northward" literally. The Government of Ontario contended that a number of the French settlements which the Act was supposed to benefit were found along the banks of the Mississippi, above the Ohio. Moreover in 1775 the boundary was officially described in Sir Guy Carleton's commission as running along the eastern bank of the Mississippi to its source, and thence northward. Actually this boundary was accepted generally at the time and was the subject of protests by Virginia and Pennsylvania. When the Province of Upper Canada was constituted in 1791 its western boundary was declared as the utmost limit of what has hitherto been known as Canada.

The dispute, therefore, was between the letter and the spirit of the Quebec Act, and necessitated a long inquiry and the collection of much documentary material in London, Paris, and Washington. Hon. David Mills acted for Ontario in the preparation of the case. No action was taken until 1874, when Premier Mackenzie and Hon. Adam Crooks, in conference, agreed to establish an arbitration board, one member to be chosen by the Dominion, one by the Province, and these two to name a third, not a resident of Canada. Hon. L. A. Wilmot, representing the Federal Government, and Hon. W. B. Richards, for the Government of Ontario, were named, but Mr. Wilmot died and Judge Richards resigned. They were replaced, respectively by Sir Francis Hincks, and Chief Justice R. A. Harrison; these two chose as the third member of the Board Sir Edward Thornton, British Ambassador at Washington.

The case was not argued until August, 1878, Hugh MacMahon and E. C. Monk appearing for the Dominion, and Premier Mowat and Thomas Hodgins for the Province. The Arbitrators determined unanimously that the true western boundary was at west longitude 95 degrees, 14 minutes, 38 seconds—three hundred miles farther west than the point fixed upon by Mr. Taché, and the Federal Government. This award increased the area of the Province by 144,080 square miles—three times the area of the State of New York. The Province accepted the award in March, 1879, but the Federal Government held back on the pretext that Parliament had not authorized the Arbitration. In 1880 Sir John Macdonald expressed the opinion that the award did not describe the true boundaries of the Province, and a Committee of the House of Commons, by a majority of five, took a similar view. The Ontario House, both in 1880 and in 1881, was practically unanimous in pressing for the settlement of the case on the basis of the award. The votes respectively were 64 to 1 and 75 to 1, (*) the Opposition giving support to the Government.

Sir John Macdonald gave a new aspect to the Boundary case in 1881

(*) John C. Miller, of Muskoka and Parry Sound, in the first year, Patrick Baskerville, of Ottawa, in the second. Mr. Miller was a Liberal, Mr. Baskerville a Conservative.

when Parliament passed an Act extending the eastern boundary of Manitoba to the western boundary of the Province of Ontario—that boundary being still a subject of the sharpest political dispute. By this legislation a district over three hundred miles in length became a No Man's land and the inevitable result was a direct conflict between Manitoba and Ontario. At that time the western Province was largely French, so that the Quebec Ministers in the Federal Government were strongly in support of the Manitoba extension. The town of Rat Portage (*) had been incorporated by the Manitoba Legislature and had a magistrate, a police force and a jail under Manitoba jurisdiction. At the same time it was considered at Toronto as a part of the Province of Ontario. In 1883 the Ontario Government sent G. R. Pattullo and G. Burden to Rat Portage as Commissioners to take evidence in regard to conflicting claims to land, a magistrate was appointed and a staff of special Ontario constables set up. The result was a comic opera war. One correspondent wrote on July 27th "Dominion Commissioner McCabe, with two policemen, Ontario magistrate Burden, with twenty-five policemen, and stipendiary magistrate Brereton, with fifteen policemen acting on behalf of Manitoba, have been arresting each other all day, and the people have been siding, some with one party and some with another to the imminent danger of the peace and of loss of life." This disturbance continued at intervals all summer and not until the middle of December was a *modus vivendi* arranged between the law officers of the two Provinces. The arrangement provided for a stated case to be submitted jointly to the Judicial Committee of the Privy Council for settlement of the dispute. Thus after years of political foolery the boundary case was at last in a way of settlement, according to the plan which W. R. Meredith and the Opposition in the Legislature had sturdily advocated—to their own political hurt.

The case was heard by the Privy Council in July, 1884, and determined in favour of the Province of Ontario.

An Opposition, despite its duty to oppose, is not justified in making a fighting issue of every detail of Government policy and administration. Dr. Goldwin Smith's view, which already has been quoted, would be approved by every practised and successful politician. An Opposition is appealing daily for the confidence of the electorate; is seeking to convince the people at large not only that the Government is unworthy of continued support, but that the Opposition has a broader patriotism and a sounder view of policy. Undiscriminating criticism defeats itself by wearying the public, by inviting the elector to discount the utterances of the Opposition. Few fair-minded citizens of Ontario can approve the attitude taken by the Conservative Party in the Legislature with respect to the Boundary Award. Partizan hostility

*This picturesque and historic name bestowed by pioneer trappers upon a place where the muskrats fared from one lake to the other, has been changed to Kenora, a synthetic name, supposed to be more euphonious and polite than the original. A Toronto artist in protesting against the change said: "Kenora! What does it mean? The place might as well have been called 'Gladys'!"

towards the Mowat Government and blind approval of every action taken by Sir John Macdonald in the Federal field led Mr. Meredith and his followers into a soundless bog. All the facts in the case justified the position taken by Mr. Mowat, a position which in the early days of the dispute had been approved by the House, with only one dissentient voice. Ontario had always resented the subordination of its affairs to outside dictation and there were indications that the position of Sir John Macdonald had been taken at the demand of the French Canadian members of his Cabinet. The Opposition undertook an impossible task when it sought to prove that Ontario had no right to claim a great area of mineral lands which an independent Board of Arbitrators had declared to be within the boundaries of the Province. With the great majority of the electors there was only one side to the dispute. Since the Mowat Government had been keen enough to take that side and to defend vigorously its position, the Conservative Party would have gained strength and authority on its general programme of criticism by refusing to contest this particular issue. It chose to defend an untenable position, invited the bombardment which followed and had few sympathizers in its discomfiture.

When the Jesuit Order was suppressed in 1773 the British Government in Quebec permitted the members of the Order occupying the old College in Quebec to retain their home and property while they lived, on the understanding that ultimately the estate would go to the Crown. Father Casot, the last of the Jesuits, died in 1800, and the College was used for many years as a barracks. The Order was revived in 1814 but did not appear in Canada again until about 1870. Meanwhile the property, following Confederation, had come into the hands of the Provincial Government of Quebec, but the clergy had always claimed that it should be ear-marked for the uses of the Church. The Government proposed to sell the College to the City of Quebec as the site for a City Hall, but the Archbishop protested declaring that the Church had rights. Finally Premier Mercier applied to the Holy See for the right to sell and made a settlement whereby all Jesuit rights were to be extinguished on payment of $400,000 to Father A. D. Turgeon, the Canadian Superior of the Order. The agreement was validated by Act of the Legislature, whereupon Ontario made violent objection and conducted a campaign at Ottawa under the leadership of D'Alton McCarthy, Q.C. for the disallowance of the Act. The fact that a Government of the Queen had been forced to secure permission from the Pope to deal with property that according to every principle of the British constitution was Crown property roused much bitterness.

Meetings of protest were held in all parts of Ontario, and a Convention in Toronto on June 11th and 12th, 1889, formed the Equal Rights Association, under the Chairmanship of Principal Caven of Knox College. There was great enthusiasm and some of the resolutions adopted were not lacking in vigour. Here is one of them: "That this Convention desires to record its conviction that the incorporation of the Jesuits and the passing of the

Act respecting the settlement of the Jesuit Estates by the Legislature of the Province of Quebec, the course of the Government of the Dominion in leaving these Acts to their operation, and finally the rejection by an immense majority of the resolution moved in the House of Commons for the disallowance of the last-mentioned Act have brought forcibly home to Canadians the controlling influence which Ultramontanism has obtained amongst us, and the urgent need of organizing for the defence of our civil and religious liberty." Members of both political parties were found in this Association.

The North-west Rebellion of 1885 also had a reflex influence upon Ontario politics because its leader was Louis Riel, the man who had "executed" Thomas Scott in the Red River troubles of 1870. At that time Orangemen had demanded the trial of Riel for murder and were in a critical mood when he escaped the rope. Their influence had been vainly exerted upon the Government of Sandfield Macdonald to induce it to take some action and the discontent at this failure had something to do with reducing Mr. Macdonald's support at the General Election of 1871. Mr. Blake on his accession to power had offered a reward of $5,000 for the capture of Riel but this was no more than a political gesture.

Now the exile had returned to organize a rebellion which would claim the lives of many more good citizens of Ontario, and yet he had the sympathy of great numbers of French Catholics. The Liberal Party in Federal affairs was too tender towards this half-breed to satisfy the Orangemen, and their indignation was visited upon the Mowat Government. It had been discovered also that in 1877 some important amendments to the Separate School law had been made at the instance of Hon. Adam Crooks, first Minister of Education, and had passed the House without detailed examination. Other amendments designed to satisfy the requirements of Archbishop Lynch had been made in a similar manner in 1879, 1881 and 1884. Here was enough to stir up extreme Protestants; but in addition it became known that an excellent book of Scripture Readings prepared by W. H. C. Kerr, M.P., for school use and authorized by Hon. G. W. Ross, Minister of Education, had been amended and approved by the Archbishop. The amendation actually had consisted in the change of "which" to "who" in the Lord's Prayer, but "the principle of the thing" sent a number of wild-eyed persons into political hysteria. The "Ross Bible" controversy was the nearest thing to insanity that the politics of this Province has ever seen. One pious Oppositionist protested that he wanted "the whole damned Bible or nothing!"

Mr. Meredith's platform for the General Election campaign of 1886 was favourable to the enlargement of municipal authority, approved the principle of manhood suffrage which Mr. Mowat's ingrained Toryism had continually resisted, denounced the unfair competition of prison labour against free labour, favoured the strengthening of the Employers' Liability Act, and demanded the abolition of the numbered ballot. There was

nothing wrong with the programme; it was more Liberal than the official Liberals desired; but it was pressed out of sight and out of mind by the No Popery cry. Thus the Opposition was forced by the clamour of its friends into a position diametrically opposed to that which it had taken in 1883 when Irish electors had been assured that Codlin was their friend, not Short.

The most lively publication in Ontario during the late 'eighties was *The Bystander,* a thirty-two page monthly, in which Dr. Goldwin Smith aired his multifarious opinions on politics, literature, art and education. The writing was precise, elegant and generally of great distinction; the opinions apparently were held with all the tenacity of the average Free Trade Liberal, and expressed with a loftiness which often rose to arrogance. No Orange Grand Master was more severe than the former Oxford Professor in dealing with the failings of politically-minded ecclesiastics. No Grit was more scornful of Sir John Macdonald's venal following, no Tory was more contemptuous of the Mowat administration. Dr. Smith was sure that Ontario and Quebec could never work in unity for the building of a Canadian nation; he was sure also that the manifest destiny of Ontario was inclusion in the American Republic. Since his temperament was to regard his own opinions as great, if not inspired, truths, which only a daring man would deny, his role of Critic-in-Ordinary was played with a proper solemnity. As a Veiled Prophet he was not imposing to many good Canadians; as an English gentleman given to hospitality, and radiant in his conversation, he was greatly admired, if not beloved, and his home, "The Grange," was a social and cultural centre in the wilderness of Toronto. In June, 1890, *The Bystander* discussed the political situation as follows:

In the struggle for Provincial office which is going on with its usual vivacity, the general opinion seems to be that the 'ins' will stay in and that the 'outs' will stay out. The 'ins' have had eighteen years wherein to entrench themselves behind the ramparts of patronage and influence, nor have they failed to make the best use of their opportunities. Moreover in the eyes of the people, who naturally look first to their material interests, the 'ins' have greatly the advantage in administrative reputation. Mr. Meredith is allowed by everyone to be a man of at least equal ability to any members of the Government; he is allowed by everyone except party journalists or pre-eminent Christians to be a high-minded and honourable gentleman. That the Province should be prevented from availing itself of his administrative ability and integrity because he belongs to the minority in questions which have nothing to do with administration is a strong example of the irrationality of the party system. That he is lacking in malignant energy as leader of a faction is not the worst of faults in our eyes. But he stands alone: his party can supply him with no lieutenants, who are at all equal to himself or have any hold on the confidence of the people. Mr. Meredith, moreover, although he has made a gallant effort to shake off Ottawa, has not completely succeeded, and till he does shake off Ottawa he cannot possibly have a fair chance in Ontario. Victory in Ontario may be a sentimental object, but it is not of vital importance to Sir John Macdonald, so long as he can keep in his hands the government of the Dominion which he does by the Catholic vote. It is impossible that he

should consent to any vigourous action against the pretensions of the Roman Catholic hierarchy on the part of his lieutenants here. His influence in the nominations, so far as can be discerned, has been practically exerted against the platform on which Mr. Meredith takes his stand.

Dr. Smith's "I Told You So" appeared in the July number. It is quoted at length, because of its animus. When a detached personage could speak with such freedom on the Equal Rights policy, one may get a glimpse of the bitterness which coloured the speeches of the partizans in that particular year of Our Lord:

The Ontario Election went as we said it would go, and, we believe, for the reasons which we gave.....Mr. Meredith took up Equal Rights too late, and as the people thought too obviously with a view to the election. At the same time he incurred in full measure the hostility of the Roman Catholic clergy and gave his opponents the full benefit of their influence. He had no other cry, the Mowat Government not having laid itself open to any special charge. Ottawa knifed him, yet he had to move under the restraint and to carry the odium of the connection as well as to drag the weight of its local organ. The position which he undertook to storm had been fortified by the assiduous exercise of patronage, including the sinister licensing power, by gerrymandering, and all the other influences which a party in office commands, for eighteen years. If we add that he is himself rather too open-minded and too amiable for party leadership we shall be saying what from our point of view is not disparagement but praise.

Mr. Meredith has now to choose his course. He can hardly doubt that there is an end of the old donkey-engine which he was set to work in Ontario in the interest of a party at Ottawa, and indirectly in the interest of Quebec, by whose support the party at Ottawa is kept in power. His task has in fact been to hold Ontario down while Quebec plucked her, and this can be done no more. The tie between Dominion and Provincial party has been finally broken. An Opposition here to have a chance of success must be a Provincial Opposition. In that character it may work its way to victory. Nothing can be weaker than the moral position of Mr. Mowat, a professing Liberal and an old opponent of Separate Schools, purchasing the support of a reactionary priesthood by a flagrant sacrifice of Liberal principle. Old stagers may be content to remain in such a ship, but the younger men will be repelled. Hope will come to the Opposition and bring strength with it. The men whom it so much needs will be called out, and they will not, as soon as they show ability, be drafted off to Ottawa. To govern us while he keeps in power by the Roman Catholic vote is what the Grit leader undertakes. There are men enough in Ontario resolved not to be so governed to make a decent following for his opponent.

Many of our readers must have thought that we were guilty of paradox in saying that Mr. Mowat was the Sir John Macdonald of Ontario, that the real affinity was between the positions of those two men, and that Sir John never very heartily desired that 'Mowat should go' but was well content with an arrangement under which he and Mr. Mowat used the Catholic vote by turns while all was kept quiet in the British and Protestant Provinces. But our diagnosis has proved true. Not only did Ottawa knife Mr. Meredith, *Le Monde* Sir Hector Langevin's recognized organ, openly hailed the success of Mr. Mowat as a victory for Sir John Macdonald's government. And now Sir John himself, with Archibishop Cleary (of Kingston) at his side, exults over the renewal by the people of Ontario of their confidence in Mr. Mowat. What says Ontario Toryism? What, we may also ask, say the Liberals, who have voted

for Mr. Mowat and Archbishop Cleary? Are not those Liberals who followed Liberal principle and not Party abundantly justified in their course?

Mr. Mowat of course received the entire Roman Catholic vote. Not only did he receive the vote, but prayers were offered up for his success, as prayers would be offered up to-morrow for his discomfiture if he ceased to serve the interest and do the bidding of the Church. He may yet live to find as others have found who have played the same game that in politics the name of priest is perfidy. His party indeed need only live two years to become sensible of the fact. For at the Dominion election the sheep will be all driven into the other pen and the Grits, in requital for their surrender, will poll not a single Roman Catholic vote. A portion of the Orange body did nobly for its own principles and for the cause of William of Orange. How fared Equal Right? Far better than any movement of principle outside the Machines has ever fared before it. Its meetings up to the last were crowded and enthusiastic. It manifestly turned several elections.

In effect the Equal Rights Association attempted to consolidate the anti-Catholic vote and deliver it to the man or the Party ready to ignore the claims of Roman Catholics under the Constitution and prepared to invade the local rights of the Quebec Legislature. Its chief complaint as voiced by Dr. Goldwin Smith was that the Catholic vote was consolidated in its own interest. If the one consolidation was objectionable was the other proper? This question, logical enough, leads direct to the relative merits of the Protestant and Catholic beliefs, a subject which can never be decided in Canada but in *two* ways. Discussion on the religious issue in this country always leads to deadlock, and there is something to be said for the political leader who seeks to preserve the peace without being unduly tender to either side.

In the early part of 1890 the organizers of an American agrarian association called The Patrons of Industry crossed from Port Huron to Sarnia and began to preach the doctrine of simplicity in government. The evangelists were most successful. Within a few weeks branches of the Order had been established in all parts of the County of Lambton and the whole western peninsula was in the mood to listen. A grand association was formed at Sarnia in February, 1890, with the following officers: Grand President, Fergus Kennedy; grand vice-president, C. A. Mallory; secretary and treasurer, L. A. Welch. The first action of the Association was to detach itself from the parent organization in the United States. Then a Committee was formed to draft a political programme in harmony with the general levelling principles of the Order. The programme was submitted to all the local branches, was approved by nine-tenths of the membership, and was passed at a special meeting of the Grand Association at London on September 22nd, 1891. The text of the propositions follows:

1. Maintenance of British connection.
2. The reservation of public lands for the actual settler.
3. Purity of Administration and the absolute Independence of Parliament.
4. Rigid economy in every department of the public service.
5. Simplification of the laws, and a general reduction in the machinery of Government.
6. The abolition of the Canadian Senate.

7. A system of Civil Service Reform that will give each County power to appoint or elect all County officials paid by them except County Judges.
8. Tariff for revenue only, and so adjusted as to fall as far as possible upon the luxuries and not upon the necessities of life.
9. Reciprocal trade on fair and equitable terms between Canada and the World.
10. Effectual legislation that will protect labour and the results of labour from those combinations and monopolies which unduly enhance the price of the articles produced by such combinations or monopolies.
11. Prohibition of the bonusing of Railways by Government grants as contrary to the public interest.
12. Preparation of the Dominion and Provincial Voters' Lists by the Municipal officers.
13. Conformity of electoral districts to county boundaries, as constituted for Municipal purposes, as far as the principle of representation by population will allow.

The Order grew like a gourd, not only in Ontario, but in the west and in the Maritime Provinces. By 1894 the Grand Association meeting in Toronto determined to nominate candidates for the Legislature. Two meetings—generally picnics—were held in each county and the result of this special organization was the nomination of thirty men pledged to support five more or less shadowy reforms—the election by popular vote of all county officers save judges, the abolition of Government House, the abolition of the practice of giving free railway passes to legislators, the taxation of mortgages, stocks and bonds at their actual value, and the repeal of all Provincial statutes giving special class privileges. Sixteen Patrons were elected to the Legislature and J. L. Haycock of Frontenac was appointed House Leader of the Party.

Immediately after the general election of 1894, Mr. Meredith, Opposition Leader, was appointed to the High Court Bench as Chief Justice of the Court of Common Pleas. A handful of Conservative members of the Legislature met in *The Empire* office, Toronto, to select his successor. The House at the moment was divided between three parties, the Liberals, who numbered 50, the Patrons and Independents who numbered 18, and the Conservatives, who numbered 25. Four names were submitted to the caucus; J. P. Whitney, G. F. Marter, O. A. Howland, and G. Sterling Ryerson. The most promising of these, Mr. Whitney, frankly told the caucus that his hostility to the Patron movement and the fact that he had defeated in the elections, not a Liberal, but a Patron, made it necessary for them to weigh carefully the choice of leader they were to make. A vote was taken and it was clear that the choice rested between Mr. Whitney and Mr. Marter. Eventually Mr. Marter was selected. Mr. Marter had slight parliamentary experience, and, as he always modestly contended, no gift for leadership. He was a country merchant of high personal character, and well thought of in the Methodist Church—of which he was a member. After nearly two years of great strain and stress for him, he called a meeting of his parliamentary following in the session of 1896, and told them

that, both for reasons of health and of business, he would have to resign. His resignation was accepted at his own request, and Mr. Whitney was unanimously nominated leader. These proceedings culminated on the last day of the Session, so that Mr. Marter served as leader during the sessions of 1894, 1895 and 1896.

The lawyer from Morrisburg thus honoured by his colleagues in the House was a man of high political and personal ideals whose fine and sensitive personality was effectually concealed by a spinous exterior. Having been in the House since 1888 he had ample experience. Moreover he was formidable in debate, not alone because of his keenness of insight and his powers of destructive analysis, but also by reason of his copious vocabulary. All the adjectives of vituperation—and most of the adverbs—were at his command and usually a speech by him was as effectual and nettlesome as a sand-blast. He had studied law in the office of John Sandfield Macdonald and in a measure was his political heir, bringing to the Legislature a violent hatred for all forms of political finesse—from raw bribery upwards—and being no man's man but his own. At first he was not particularly severe but as he received public and private reports relative to the activities of "the Grit machine" in a score of constituencies he found an infinite opportunity for denunciation. Liberal statesmen of undeniable ability—some even of distinction—were profiting, willingly or not, from the activities of ward-heelers, side-line workers and politicians of the baser sort who flourished at election times like the green bay tree. Mr. Whitney marked the partnership and while his description of the political adventurers was warm, his characterization of the statesmen who received the profits of impropriety was white-hot and sizzling. Liberal speakers called the Leader a slanderer and a common scold; while from their eyries, the Editors screamed menacingly. The Conservatives in the Legislature regarded Mr. Whitney with approval and soon with affection, but many outside members of the Party, particularly those of high standing, regarded him with doleful head-shakings and whispered, "This will never do!" It is fair to say that none of these exalted pessimists came from Eastern Ontario. The people east of Kingston knew James Pliny Whitney and gave him steady support and unfaltering loyalty.

Election-time in Ontario, as in all other democratic communities is a time of excitement for the ordinary Party follower. For the district and neighbourhood leader, the worker, the canvasser, excitement often rises to hysteria and party-loyalty becomes responsible for many curious and indefensible actions. From the beginning of the Province the support of the unattached—perhaps venal—elector has been an object of deep concern to many a candidate and many an election-agent. D. W. Smith and John White in 1792 gave special instructions to provide abundant liquid refreshment for the voters. All through the period of open voting the conditions were not unlike those in the borough of Eatanswill, described so heartily by Charles Dickens. The exercise of undue influence upon the electors, from

the kissing of babies to the provision of a barrel of stout, seemed reasonable, and the man with a crafty scheme to prevent an enemy reaching the polls was sure to get a sympathetic hearing. A timid elector was likely to find the journey to the desk of the returning officer full of incident; sometimes it was tempestuous.

After 1874 when voting by ballot was adopted a good deal of "colour" was lost, and the elections tended to become decorous, especially as the law was tightened to prevent corrupt practices. Still the Party enthusiasts found occasion at times for the use of money, or at least of whiskey, and always, under the Spoils System, Government offices were a shining lure. Then the men who secured these appointments realized full well that their continuance in office depended upon the continued success of The Party. It was natural that they should devote themselves ardently to the consolidation of The Party within their sphere of influence. Common gratitude demanded it, but in addition they had a love of "the game" for its own sake, so that duty and inclination were in happy accord.

From 1878 to 1896 a Conservative Government was in power at Ottawa and its patronage was enormous. From the Customs officers of the cities, to the rangers of the Department of the Interior on the western prairies, all were interested personally in the "dishing of the Grits" and some of them were not too scrupulous in the manner of it. There was a parallel condition in Ontario. Every registrar, court official, Crown Lands officer, license commissioner, liquor law inspector—all Provincial officials exerted their influence to the strengthening of the Liberal Government, and some of them also were more eager than scrupulous. While Sir John lived the Federal Government was reasonably safe, while Sir Oliver was in office there was no indication of a change. But Sir John died and the minor Federal office holders were stimulated by concern to exceptional activity; Sir Oliver departed elsewhither, and the lesser Provincial officials began to be up and doing.

The Federal election of 1896 brought success to Wilfrid Laurier and the evidence in election protests gave proof that politicians of the baser sort had not been idle. The Provincial general election was fixed for March, 1898, and the results in Liberal eyes were disappointing. The Government had fifty supporters, the Opposition, forty-three; and the delegation of Patrons of Industry had been reduced from sixteen to one. A majority of only six or seven was too narrow for stable government, especially in the eyes of a Party which for years had been in complete command of the Legislature. Moreover in many of the constituencies the majorities had been alarmingly small. There were no fewer than fifty-six election petitions. In eight cases the Judges reported that there had been isolated acts of bribery, but as the responsibility of the candidate had not been proved, and as the corrupt practices were not sufficiently frequent to change the result, the Members were confirmed in their seats. Six elections were voided, South Ontario, Lennox, Halton, Nipissing, East

Northumberland, and West Elgin. In the other cases no evidence was submitted to the Judges, generally by arrangement of opposing counsel. The "saw-off" of election petitions by the Parties was permitted at that time.

The by-elections which took place in December, 1898, and January, 1899, were not free from peculiarity. In West Elgin the majority for Donald MacNish, the Liberal candidate was 244, a result sufficiently remarkable seeing that at the general election nine months before, and with the same candidates, the vote had been a tie. There was another protest in this case, and in others, but as West Elgin was at once a type and a symptom it is considered at some length.

On June 26th, 1899, a petition against the election of Donald MacNish was heard by Mr. Justice Osler and Mr. Justice Meredith at St. Thomas. There were 252 charges of corruption. At the opening of court A. B. Aylesworth, counsel for Mr. MacNish, submitted the following statement signed by his client, and addressed to Crothers and Price, solicitors for the petitioner, J. G. Nunn:

"We beg to advise you that Mr. MacNish has discussed at length with his solicitors the charges contained in the petition which has been filed against his return as member of the Legislative Assembly of Ontario for West Elgin, and that they have to a considerable extent investigated the charges contained therein and other matters which have come to their knowledge in connection with the election. And the subscribers hereto make the following statements and admissions respecting the same:

1. That a large number of persons were specially sent into the constituency by men working on behalf of the Liberal Party for the express purpose of taking part on Mr. MacNish's behalf in the election held January 12th, 1899, and we believe that fraudulent and corrupt means were used by some of such persons to secure his election.
2. That several of the said persons illegally and without authority acted as deputy returning officers at the said election, and in at least three cases so acted in the names of reputable local men, having, under assumed names, been introduced to the returning officer by local agents of Mr. MacNish.
3. That in many of the polling subdivisions of the riding there were grave irregularities connected with the return of the ballot boxes and their contents, the voting, and the counting of the ballots thereat.
4. That there were large numbers of persons brought into the riding for the express purpose of personating legitimate voters, and assisted by some of Mr. MacNish's local supporters such persons did personate qualified electors in voting for Mr. MacNish.
5. That the declared number of voters for Mr. MacNish largely exceeded the number of bona fide votes cast for him.
6. That a large number of ballots cast for Mr. MacDiarmid were in some nefarious and corrupt manner manipulated, whereby the result of the election was rendered doubtful and that in this connection the voting at Shedden and Middlemarch, and in several divisions in St. Thomas when said strangers so acted as deputy returning officers, merits special mention.

7. That there are good reasons to believe that there are many specific and well-authenticated cases where agents of Mr. MacNish concealed at their homes some of those strangers who there paid large sums of money to electors to induce them to vote for him.
8. That Mr. MacNish will forthwith deliver to the Speaker of the Legislative Assembly his resignation as a member thereof for the said electoral district."

In the bill of particulars filed by the petitioner the names of some of the strangers said to have been in the riding during the election campaign were given as follows: W. T. R. Preston, Alexander Smith, Capt. John Sullivan, Wm. Carroll, — Thompson, — Hopkins, D. F. Macdonald, J. J. Bell, — Vance, Duncan Bole, Martin Cahill, J. G. Pritchett, and Emerson Wright.

The trick of spoiling ballots by marking them with a bit of pencil-lead concealed under the finger nail; the appeal to the sordid elector by the offer of a ten-dollar bill, to the convivial elector, of a bottle of whiskey, the provision of unofficial ballots whereby the vote could be enlarged easily in any polling subdivision, the selection of deputy returning officers unfamiliar with the electors in their districts, so that personation could not be easily detected; the provision of choice spirits bold to recklessness by whom these arts could be practised without nervousness or clumsiness—all these things were revealed before the Courts in successive election trials, giving indications that there was a central directing body responsible. Notorious persons were traced from one constituency to another and nefarious practices were revealed wherever they appeared.

*The Globe,* in commenting on the West Elgin case, declared that the offence of tampering with ballots was even worse than bribery, but considered that it might be the more easily prevented by making sure that deputy returning officers and all election officials were men well known in the locality, bearing good reputations and acceptable to both parties.

This counsel of perfection was followed by an intimation that ballot switching was not an evil exclusively Liberal. "In London at the last General Election for the Dominion, a man was appointed (as deputy) who had been convicted in the Police Court forty times for drunkenness, disorderly conduct and assaults. He threw out 51 ballots cast for the Liberal candidate, and when wanted to answer for his conduct, it was found that he had decamped. In Manitoba professional card-sharps were appointed for the purpose of manipulating the ballots or for the purpose of instructing deputies how to commit the frauds. One man swore that he had been asked if he knew how to play cards, and if he was quick with cards, and having found that he was, he showed him how to substitute the ballots and promised him money for it. In Lisgar the evidences of fraud were very strong. Although not one of the polling booths was more than nine miles from a telegraph office it took two weeks to obtain the election returns. Ballot-boxes were lying about in hotels and livery stables, and it was common talk in the constituency that voting for the Conservative candi-

date was still going on. A deputy celebrated the conclusion of his duties by going on a spree which landed him in the Morden hospital. North Ontario was deliberately stolen from the Liberal party by ballot frauds and in Queen's, N.B., a minority candidate was returned and the Conservative Government and House of Commons refused to redress the wrong."

After this elaborate double-headed *tu quoque* the writer went on to say that it was little to the purpose. "Our main business is to set our house in order. Let us see if we cannot use the great forces of party loyalty and party discipline against fraud and corruption each in our own household."

It was the habit of the Liberals during the Ross Administration to make merry at the expense of the Opposition and to remark upon the "feebleness" of its leadership. It was a saying generally believed that the Government could not have survived at the elections of 1898 and 1902 if the Opposition had been less clumsy. There was no basis for such a judgment; it was merely the expression of a towering egotism on the part of the Liberal leaders who considered that their own cleverness brought them votes. It is doubtful if the ordinary elector of Ontario is interested in the art of politics. He is interested in men. George W. Ross had been favourably known for a score of years as a thoroughly capable and diligent Minister of Education. He had an attractive personality and was a convincing speaker. Liberals knew him as a man of character and were willing to give him a chance, hoping that he would reform the Party "from within." On the other hand J. P. Whitney angered them by his fearless and direct criticisms. For many years the Government had been juggling with the Prohibition question, giving the temperance leaders the impression that something was always about to be done, but doing nothing of moment. Mr. Whitney had denounced this insincerity, but he was not a Prohibitionist and it was difficult for "temperance first" people to turn from a Party which at least had given them sympathy. Besides, Mr. Whitney was not yet known in Western Ontario. The Liberal press had denounced and lampooned him with such hearty unanimity that it was difficult for people to visualize him as a man of any constructive ability. Indeed it is probable that Mr. Whitney came to office at last not so much because the electors had voted for him, as that they had voted against the Government. *The Farmer's Sun* said in February, 1900:

> When the Ministry first heard of the West Elgin frauds it was inactive, but had a bank been robbed in West Elgin the Provincial detective force would have been sent up at once to discover the robbers and bring them to justice. When it proceeded to make enquiries it waited for a year and then passed over the Supreme Court Judges and appointed as Commissioners County Court Judges, two of whom were but a few months ago active supporters of the Ontario Government. When it chose counsel it selected an active Liberal politician in close and constant touch with it and in addition to him the legal adviser of the very machine whose acts were under investigation. When the ballots were looked for it was found that they had been burned months

before and it is not at all unlikely that they were spirited away by some interested parties. We fear that the Ministry is placing many others in a position in which they may have to choose between supporting the Government and vindicating the law.

It will be observed that *The Sun* did not suggest the supporting of Mr. Whitney, although at this time and later he was the crusader battling for the vindication of the law.

Overtures of a tentative and unofficial nature were made during 1902 to ascertain whether or not Mr. Whitney would entertain the thought of solving the difficulties of government by a coalition. Mr. Whitney had denounced the Ministers as unworthy of office; he would have been a weakling indeed had he consented to repudiate himself and throw away his Party advantage by becoming their colleague. Premier Ross had no part in the negotiations and thus was left free to deny that he had made any offer to include Conservatives in the Ministry. During the campaign of 1894 Mr. Whitney made the following statement:

About two and a half years ago, *The Globe* suggested that a coalition would be advisable. I believe Mr. Ross knew that this editorial would be published. The day after the appearance of the editorial I was asked by one Minister of the Crown whether I would meet another Minister of the Crown and discuss coalition. I did so, with the result that the suggestion or proposition was declined by me. Nearly a year afterwards while the Gamey-Stratton investigation was going on, at the invitation of a gentleman not in public life, I again discussed the matter with the same Minister with the same result. About a month ago (in December, 1904) a personal friend of mine informed me that he had been instructed to say to me that the proposition of a coalition was still open, and that if acted upon I would in all probability become the Leader of the Government in about a year.

Between the date of the General Election of 1902 and the opening of the first Session of the new House a figure who had attracted some notice among politicians was Robert Roswell Gamey, Member for Manitoulin. He had been elected as a Conservative by a majority of 339, but rumours were heard that he was wavering. On January 30th, 1903, an interview appeared in *The Toronto Globe* in which Mr. Gamey expressed his belief that the Ross Government would survive even despite its small majority. He added: "I believe that with a strong following the Ross Government will carry out their policy of developing New Ontario. I am chiefly interested in that, for my own constituency must get a big share of the benefit, and, in this respect, Manitoulin is my politics, and I feel that I have a right to do the best I can for its welfare. And I feel that I can do this best by helping the Government with an independent support."

This announcement was received with elation in Liberal circles, and with corresponding disgust among the followers of Mr. Whitney. More than once the suggestion was publicly made that Mr. Gamey's conversion had been improperly stimulated; that he had been bought in open market like a sheep. Men accustomed to the ways of journalism were convinced that the "interview" was a statement prepared outside *The Globe* office.

and published without material change. No working journalist would write so clumsily. The Session opened on March 10th. On the 11th just after the morning of the Address in reply to the Speech from the Throne, Mr. Gamey rose and asked the indulgence of the House while he made a statement. Then he told a story of such sordid and astonishing nature that the House sat breathless. He said in brief:

1. That about August 7th, 1902, Capt. John Sullivan met him at Allandale, advised him that the Government intended to push the protest against his election and had sufficient proof to disqualify. He urged him to resign.
2. That upon reaching Toronto, Frank Sullivan, a son of the above and an employe of the Public Works Department, declared that the Government must have more support in the House and that $5,000 might be made if he would change his colours.
3. That about August 12th Frank Sullivan and a prominent Liberal lawyer (afterwards known to be R. A. Grant) met him and told him of a stock company proposition by which he could make $3,000 in six weeks, and $2,000 after the first Session of the House; and on the same day D. A. Jones of Beeton, a Liberal worker, pressed him to turn over.
4. That he then consulted his friend J. R McGregor of Gore Bay, Secretary of the Manitoulin Conservative Association and they decided to go on with the matter, obtain evidence which would convict some one in the Government, and then make the thing public on the floor of the Legislature.
5. That on September 9th after various discussions with the two Sullivans and the making of an agreement with them that he was to receive $3,000 down and $2,000 after the Session he was taken to the office of Hon. J. R. Stratton, Provincial Secretary, and there discussed an arrangement by which in return for his supporting the Government he was to receive a consideration, the patronage of his Riding, and any help which could be given in conciliating his party supporters.
6. That on the same occasion he was shown a draft of the letter which he signed later in the day, pledging his support to the Government, and declaring that he had received no value or consideration for doing so; and that on the same day Mr. Stratton instructed A. B. Aylesworth, K.C., to arrange a withdrawal of the election protest against Gamey.
7. That on the succeeding day he went by appointment to Hon. Mr. Stratton's office, accompanied by Frank Sullivan, left the latter with the Minister and then retired to the smoking room, where a large envelope was presently brought and laid on the table. It contained $3,000 in Ontario Bank bills of which he gave one-half to Sullivan.
8. That McGregor was kept advised of these and other details and that various appointments were subsequently made in Manitoulin by the Government upon his recommendation.
9. That a letter similar to the one mentioned above was typewritten, signed at Gore Bay and mailed to the Premier on Oct. 30th by previous arrangement with Mr. Stratton.
10. That *The Globe* interview already mentioned was preferred in Mr. Stratton's office, was given to Mr. Gamey in the presence of Sullivan

for revision and was duly returned to the Minister shortly afterwards, and given to *The Globe* on the evening of January 29th, that after leaving Mr. Stratton's office on this occasion and in response to his own demand $1,000 more was handed Gamey by Sullivan.

11. That on March 9th he arranged for Frank Sullivan to be at the Crossin Piano Works where he had a long conversation with him on these matters in a room where three young men, shorthand writers, had previously been concealed.

Mr. Gamey then crossed the floor of the House and handed to the Leader of the Opposition a package of money containing $2,000, and certain letters and papers which he had read in the course of his speech.

Such were the Gamey charges, which for months excited the most violent disputation, stirred the Conservative party to hot indignation and put the Liberals everywhere on the defensive. The Provincial Secretary's denial was received without question by Hon. Mr. Ross and his proffered resignation was not accepted. Gamey was denounced as a conspirator and a falsifier, but he held the confidence of many people and if he had "run straight" in minor matters his friends would have been legion. In the midst of the judicial inquiry before Chancellor Boyd and Chief Justice Falconbridge, Gamey withdrew to Buffalo—evidently in a panic over the manipulation of a bank deposit slip, which he admitted, and the discovery that two pages from the books of the Crossin Piano Company had disappeared. He was induced to return, but his prestige was never so high again.

The report of the Judges on the case was favourable to Mr. Stratton, and doubted the credibility of Gamey and Sullivan. The natural consequence in the state of public opinion was an attack in the Legislature upon the report as not sustained by the evidence, and upon the Judges for taking a biassed view of the case.

During the whole of 1904 political excitement was at a high pitch. Liberals lost no opportunity to denounce the Conservative Party for consorting with Gamey and frequently referred to him as "the Tory leader." On the other hand the appearance of the Manitoulin man on any platform brought a huge concourse of people who were not lacking in demonstrations of approval. Gamey was an accomplished speaker, despite certain crudities of manner, and led many to believe that he was a wronged man. On September 13th an Election Trial opened at Sault Ste. Marie. The evidence showed that there had been a Saturnalia of corruption. The steamer *Minnie M* had conveyed a gang of personators to Michipicoten and there was clear testimony that the constituency had been stolen. The Judges unseated the Liberal Member and reported a number of men for bribery. When the Attorney-General took no action E. E. A. DuVernet, Conservative counsel, began a private prosecution and the Government found the criticism so severe that a reorganization of the Cabinet was effected. Mr. Stratton retired, and Mr. Gibson gave up the Attorney-Generalship to become a Minister without portfolio. These changes took

place in mid-November and were followed by a Liberal Convention. Dissolution came on December 13th, the election, on January 25th. There was no doubt about the result. The Liberal Party was a hopeless wreck; the Conservatives had a majority of forty.

On February 7th, 1905, Mr. Whitney was summoned by the Lieutenant-Governor and accepted the task of Government. His Ministry was announced on Feb. 8th as follows :

Premier and Attorney-General, Hon. J. P. Whitney.
Commissioner of Crown Lands, Hon. J. J. Foy.
Minister of Agriculture, Hon. S. N. Monteith.
Provincial Treasurer, Hon. A. J. Matheson.
Minister of Education, Hon. R. A. Pyne, M.D.
Provincial Secretary, Hon. W. J. Hanna.
Commissioner of Public Works, Hon. J. O. Réaume, M.D.
Ministers without Portfolio, Hon. Adam Beck, Hon. John S. Hendrie, Hon. Wm. A. Willoughby.

The task of selection had not been easy, for the Party had revealed a good deal of debating strength in the last two Sessions and in the Election campaign. J. W. St. John, W. H. Hoyle, Thos. Crawford, I. B. Lucas. F. G. MacDiarmid, Major Hugh Clark, J. P. Downey, Dr. Beattie Nesbitt and R. R. Gamey were all Cabinet possibilities. Mr. St. John perhaps had the strongest claim, but he accepted the speakership of the Legislature. None of the claimants was disposed to embarrass the Prime Minister, and the final choice was recognized by the Party as well as by the public to be reasonable and just. Mr. Foy's appointment to the Dept. of Crown Lands was temporary; he was slated for the Attorney-Generalship so soon as the Premier could complete certain plans for the reorganization of the Departments, for he was a lawyer of high standing and of great popularity. He represented the Irish Catholic element of the population. Hon. S. W. Monteith was a practical farmer and a graduate of the Ontario Agricultural College, and to these qualifications he added distinct ability as a Speaker. Mr. Matheson had acted in Opposition as the Finance Critic of the Party and had in addition that strain of carefulness and obstinacy which is invaluable in a Trustee of any sort. Dr. Pyne entered upon his work as Minister of Education with enthusiasm, and soon proved his aptitude. Mr. Hanna was perhaps the most brilliant man of the Administration; a sound lawyer, a captivating speaker, a man of fiery energy and of great determination. Dr. Réaume represented the French Canadians resident in Ontario. Of the Ministers without portfolios the most forceful and ardent was Hon. Adam Beck, who had already formulated a policy of dealing with the generation and distribution of Hydro-Electric energy on a Municipal co-operative basis, and was eager to see it in action.

The House met on March 22nd, and the Speech foreshadowed some action respecting public control of Niagara power. Mr. Whitney in the debate on the Address gave a pronouncement on the Liquor Law question. which no one could misunderstand. He said that the law would be enforced

whether the liquor or the temperance interests were pleased or displeased. Early in May the Premier introduced legislation to change the designation of the Commissioner of Crown Lands, to that of the Minister of Lands and Mines. The Commissioner of Public Works was to be called the Minister, and a new Department, that of President of the Council, was erected. Frank Cochrane of Sudbury was brought in to take charge of the Lands and Mines, Mr. Foy became Attorney-General, and Mr. Whitney devoted himself entirely, as President of the Council, to the growing duties of Prime Minister. In the first few months of his administration he had created an excellent impression upon the public mind by the frankness and definiteness of his answers to deputations, and during the Session he put himself about to assert the continuing responsibility of the Government for all legislation public and private. Towards the end of the Session the York Radial Railway Bill was introduced and sent to the Railway Committee. One of its clauses provided for a perpetual franchise and there was a good deal of newspaper criticism concerning it. The Committee was inclined to give the Company what it desired until Mr. Whitney came down to one of the meetings and spoke with some definiteness—and acerbity. He said that the practice of reserving important private measures until towards the end of the Session would be stopped. "I have not seen the provisions of this Bill until within the last hour. The Government has been given no time to look into them properly. One thing is certain if the Bill contains a provision for a perpetual franchise, as is stated, this Government will never consent to it. I have told the promoters so this morning. I have asked them to let the Bill stand till next year, and I was told by one of them that they declined. If they continue in such an unreasonable course the Government will move in the House to strike out the Bill." In view of the fact that more than one of the Conservative members was pressing for the adoption of the Bill, this action by the Premier stirred the Conservative journals to loud approval, and "e'en the ranks of Tuscany could scarce forbear to cheer." In general the cause of the Administration during the Eleventh Parliament met with high favour. The general policy enunciated by the Premier at a banquet in Montreal was (1) the maintenance of British connection as the chief cornerstone of the fabric; (2) the realization of the axiom that the privileges of all creeds and nationalities should be conserved, and (3) that the Government should be earnest, industrious and astute in developing and extending the material interest of the people. Parliament and the people alike recognized the undoubted fact that a Man had come to office; one who could fix his own course and the course of the Party in harmony with the instant requirements of the Province and would follow that course without wavering to the last hour of act. The time was gone for coddling this interest, or pacifying that, for sympathizing with two opposing interests at the same time, for practising the arts of Practical Politics. It is possible that some students of political finesse, some devotees

of the god Diplomacy, may have shuddered with apprehension when considering the next election. Mr. Whitney minded his business—furiously—and had a majority in 1908 of 69!

The history of the Whitney Government is administrative rather than political; its many notable achievements in the matter of Hydro Electric development, mining, education, etc., are recorded in the Chapters dealing with the Governmental Departments. The only question which divided the parties was that of regulating the liquor traffic. The Government in order to insure permanence of prohibition by Local Option had secured an amendment to the Act, providing that a three-fifths vote would be required before a Local Option by-law could go into effect. At the same time Hon. W. J. Hanna had enforced the License Act as it never had been enforced before.

The Liberals took strong ground against the three-fifths clause but the Party was too feeble to be effective and some Prohibitionists thought that the utterances of the Leader, A. G. MacKay, were equivocal.

At last Mr. MacKay was replaced as Leader by N. W. Rowell, an indication that an advanced policy on the liquor question might be expected. Apparently Mr. Rowell had to wait upon the convenience of the Party for he entered the campaign of 1911 with no special rallying cry. The Legislature was dissolved in October and the elections were held on December 11th with the result that 83 Conservatives were returned, 22 Liberals and one Independent. At the 1912 Session of the Legislature Mr. Rowell called for the abolition of the Bar. Sir James Whitney countered with a proposal to abolish treating, and for three years there was a lively argument in the Province ending in one more triumph for the Ministry.

In his last appeal to the electorate, Sir James Whitney had reviewed the achievements of the Conservative Government in these words:

**We have abolished such devices as the numbered ballot, and have restored clean and honest methods in the conduct of elections. We have regarded Agriculture as our chief industry and have largely increased the expenditure for agricultural purposes. We have established the Provincial University on a prosperous footing, have given generous aid to the primary and secondary schools, and have taken advanced steps in educational progress by setting up systems of training in technical, industrial and agricultural instruction. We have challenged attention at home and abroad by producing at the lowest prices the best text books ever published on this continent. We have more than doubled the public revenues, maintained unimpaired the Provincial credit, and spent the money in useful public improvements. The extension of the great system of Hydro-Electric power which has been administered by Mr. Beck and his colleagues on the Commission with unexampled zeal and fidelity in the public service, is transforming in a wonderful manner, industrial and social conditions in the Province. The interests of our great labouring population have not been forgotten, as is evidenced by the passage of the Act providing compensation for workmen, for injuries sustained and for industrial diseases contracted in the course of that employment, by an eight-hour day for miners working underground, and by provisions, which help to solve the housing problem in cities. We have greatly**

extended and reconstructed the Temiscaming and Northern Ontario Railway, running rights over the line have been granted at a price that will repay the Province half the interest on the sum expended in construction. The license laws have been faithfully enforced.....Under existing laws the people have the right to close shops and bars alike in any locality. This policy has resulted in nine years in the abolition of over 1,200 liquor licenses. We believe that the people should be trusted to decide this matter for themselves and that the dropping of the Temperance Question into the arena of Party politics is not in the best interest of the cause.....In addition to the extension of territory received from the Dominion Government and known as the District of Patricia, containing 146,400 square miles, we have secured for the Province a port on Hudson's Bay.....We point, may I not say with justifiable pride, to this record. No stain rests upon it. Being human, we have made mistakes, but we have done our best. We have detractors it is true, but they are indeed a negligible quantity, and no organized hypocrisy can today, either by means of bluster or shameless falsehood deceive the electorate.

Sir James was taken ill while in New York in December, 1913, and for some weeks was in a critical state. On January 18th he was brought to Toronto and in the early Spring had recovered sufficiently to go out, but he was at the Legislature only once — on the day of prorogation. He appeared again at his office in May, supervised the preparation for the general elections and spoke once in the campaign—at Massey Hall, Toronto. On this occasion he said: "Coming back, my friends, as I have, by God's mercy, from the shadow of the dark valley, I am constrained, nay, compelled, to express the thanks I owe to the people of Ontario. They have given me an opportunity, I think I may say, of being of some service, and they have given me their confidence in full measure—in full measure, heaped up, pressed down, shaken together and running over—and as long as my renewed health and strength are vouchsafed to me I shall be at their disposal, and shall endeavour to give them the same faithful service I have in the past." After having seen once more the evidences of public approval by the support of his Ministry, after living through six weeks of the Great War, seeing Great Britain and the democratic Imperium menaced by a powerful and ruthless enemy, Sir James died on September 25th, 1914. Tributes of affection and respect were paid to his memory by people in all walks of life and for a time the voice of faction was stilled.

Hon. Wm. H. Hearst succeeded as Prime Minister and on October 2nd, 1914, announced the constitution of the Ministry. He himself retained his Department of Land and Mines. The distribution of other offices were: Attorney-General, Hon. J. J. Foy; Minister of Education, Hon. Dr. R. A. Pyne; Provincial Secretary, Hon. W. J. Hanna; Minister of Agriculture, Hon. J. S. Duff; Provincial Treasurer, Hon. I. B. Lucas; Minister of Public Works, Hon. Finlay G. MacDiarmid; Minister without portfolio, Hon. Richard F. Preston.

Hon. Dr. Réaume had retired from the Cabinet to become Registrar of Essex, and Sir Adam Beck had preferred to give all his time to the

Hydro-Electric enterprise, which necessitated the promotion of Mr. MacDiarmid and Mr. Preston to Cabinet rank.

Further changes came within a few weeks. On December 23rd Mr. Foy retired owing to ill health and was succeeded by Mr. Lucas; Hon. Thos. McGarry going to the Treasury. Hon. Geo. Howard Ferguson, Member for Grenville since 1905, was appointed Minister of Lands and Mines, and the Premier contented himself with the office of President of the Council. Hon. Mr. Hearst was indefatigable in war work, ardent and resolute in his supervision of provincial affairs, and the Knighthood which came to him in 1917 was well deserved. Yet he had many enemies, beginning with those Tories who resented the closing of the bars, including all Liberals, who were officially Prohibitionists, all opponents of conscription, all secret friends of Germany, all extreme Radicals, and the French Canadians of the Province, who felt themselves aggrieved because of the regulation of bi-lingual schools. When by agreement with Mr. Rowell the Provincial elections were postponed he added to the number of his critics.

In 1918 Hon. Dr. Pyne and Hon. W. J. Hanna retired from public life. Hon. J. S. Duff had died in 1916 and the Premier had been administering the Department of Agriculture. Hon. W. D. McPherson became Provincial Secretary. In May announcement was made that Hon. Geo. S. Henry had been named Minister of Agriculture, and that the Department of Education would be taken over by Rev. H. J. Cody, Rector of St. Paul's Church, Toronto. The Government was still able to attract the ablest minds of the Province to its service.

The end of the war and the return of the soldiers removed all reason for further delay in going to the country. Moreover the time had arrived for submitting to the people certain questions to ascertain the public sentiment with respect to the Ontario Temperance Act of 1916, which was a subject of constant and vigourous debate in many social circles. There were signs that the official Liberal Party was less enthusiastic than it had been on the Prohibition question. Mr. Dewart had come thundering up from South-West Toronto to replace Hon. J. J. Foy in the House and he had succeeded in capturing the Liberal leadership. It was true that the United Farmers of Ontario were still pledged to Prohibition and were talking of putting candidates in the field, but they were not considered as a serious political force. The wiseacres, sniffing the wind, were convinced that the Government was sure to be given a new lease of power.

The elections and the Referendum came on the same day, October 20th, 1919. The result was a political earthquake. Only 25 Conservatives were elected. The Liberals had 29; Labour Members numbered 11 and there was one Independent. The United Farmers had 45. All the enemies and critics of Sir Wm. Hearst had combined against him and it appeared that the Liberal Prohibitionists had preferred to support U. F. O. candidates. At the same time the vote in favour of maintaining the Ontario Temper-

ance Act had been 772,041, with 365,365 opposed. The question "Are you in favour of the sale of light beer?" had a negative majority of over 325,000. Although the Conservatives had such a small representation in the House it appeared later that they had polled 391,278 votes and four acclamations, as against 333,550 for the Liberals, 258,090 for the Farmers, 131,394 for the Labour candidates and 56,256 for the Independents.

The Farmers made common cause with Labour and selected Ernest C. Drury as their leader. In due course Mr. Hearst resigned and retired from public life, but by no means in disgrace. He had fought a good fight and had no regrets. Mr. Drury became Premier and with a group of inexperienced men about him entered upon the considerable task of translating his Theory of Government into practice. How he succeeded, by embarrassing the Hydro-Electric enterprise, by entering upon a vast and extravagant highway construction policy, by reviewing—not impartially—the timber policy of the Conservative Government, and by spending money like the proverbial drunken sailor is a matter of common knowledge. The General Election of June 26th, 1923, was as startling in its result as that of 1919. Seventy-seven Conservatives were elected as against seventeen members of the U. F. O., fourteen Liberals, and three Labour men. Hon. G. Howard Ferguson accepted the call of the Lieutenant-Governor and on July 9th announced his Ministry as follows:

**President of the Council and Minister of Education, Hon. G. Howard Ferguson.**
**Minister of Public Works and Highways, Hon. G. S. Henry.**
**Attorney-General, Hon. W. F. Nickle.**
**Provincial Treasurer, Hon. W. H. Price.**
**Minister of Mines, Hon. Chas. McCrea.**
**Minister of Labour, Hon. Dr. F. E. Godfrey.**
**Provincial Secretary, Hon. Lincoln Goldie.**
**Minister of Agriculture, Hon. J. S. Martin.**
**Minister of Lands and Forests, Hon. James Lyons.**
**Without portfolio: Sir Adam Beck, Hon. Thos. Crawford, Hon. J. R. Cooke, Hon. Dr. Leeming Carr.**

Hon. Mr. Ferguson's Government met the House on February 6th, 1924, and Hon. Joseph Thompson was appointed Speaker. There was much bickering over the Premier's determination to recognize Mr. Sinclair as official Leader of the Opposition, but the first important debate was upon the Budget. Hon. Mr. Price, Provincial Treasurer, had reported a deficit on Consolidated Account of over $15,000,000, and in his Speech revealed a condition that pointed to loose administration. The opposing speakers sought to show that facile bookkeeping was mainly responsible for this unhappy showing, but the Government was on solid ground, and the Country was convinced of the accuracy of the figures.

Further proof of unsatisfactory conditions appeared in the meetings of the Public Accounts Committee. It appeared that on the recommendation of Hon. Peter Smith, former Treasurer, the Drury Government had undertaken to buy-in outstanding Provincial bonds and securities which had been

issued free of the Succession Duties. The price fixed was par and par of exchange. The average market price of such bonds in England was about 80, and the prevailing exchange-rate at that time about $4.40 to the pound sterling. Thus any person could buy a bond of £1,000 in London for £800 which was worth $3,520, and sell it to the Ontario Government for $4,860. The feverish activity of persons of speculative mind may be imagined.

Evidence implicating the Deputy Treasurer, Charles A. Matthews, was adduced in Committee and that official fled the country. Some months later he was found in California and brought back to Toronto. On March 31st George E. Clarkson, one of the liquidators of the Home Bank testified that in connection with the purchase by the Bank of $4,000,000 in Provincial securities a rebate of $15,000 had been sent by cheque to the Provincial Treasurer in 1919. The cheque itself was missing but it had been paid in "legals," or Dominion notes of one thousand dollars each, and part of the proceeds deposited to Peter Smith's personal account.

At the Assize beginning October 20th Peter Smith, Aemilius Jarvis, Aemilius Jarvis, jr., and H. G. Pepall, were brought to trial before Chief Justice R. M. Meredith. Jarvis, jr., and Pepall were acquitted. Smith was sentenced to three years in penitentiary and Jarvis, sr., to six months in the County Jail. A joint fine of $500,000 was imposed. Later the fine was remitted following an appeal to the full court. Matthews was tried on October 27th before Mr. Justice Mowat and was sent to the penitentiary for two years.

The public distaste at these revelations certainly consolidated the position of the Conservative Party and brought a larger prestige to the Government. Mr. Ferguson in his capacity of Minister of Education had sponsored a revision of the practice of distributing elementary school grants, and his grasp of the details of his Department was apparent not only in the House but in various speeches throughout the country.

A strong demand for revision of the Ontario Temperance Act had been made by some supporters of the Government and in the Session of 1924 the Administration took power to hold another plebiscite. In October the electors were asked to vote on two questions: "1—Are you in favour of the continuance of the Ontario Temperance Act? 2— Are you in favour of the sale as a beverage of beer and spirituous liquor in sealed packages under Government Control?"

The vote was 585,676 for continuance of the Act; 551,645 against, but this majority of 34,031 was much lower than in previous plebiscites on the liquor question. In the main the rural areas were distinctly "dry" and the cities strongly "wet." The narrowness of the majority foreshadowed increased difficulty in enforcing the law, and in February, 1925, the Government amended it, taking power to put on sale a light beer of 4.4 per cent. proof spirit. This concession was not received with any great measure of enthusiasm, but it gave the Government justification for proceeding vigourously against flagrant violators of the law.

Meanwhile the general administrative record of the Government was winning favour throughout the country, and the Opposition forces in the Sessions of 1925 and 1926 seemed singularly futile. For the fiscal year ending October 31st, 1924, the deficit on Consolidated Fund had been reduced to $8,325,645. In October, 1925, it had dropped to $4,905,232; in October, 1926, to $389,986. The policy of rigid supervision of expenditures and better collections had fully justified itself.

Throughout the Province the feeling of irritation over the steady violation of the Ontario Temperance Act was intensified by the news of July 24th, 1926, recording the death of thirteen Ontario people by the drinking of poisonous "bootleg" whiskey. On October 18th after a careful inquiry in various parts of the Province, Hon. Mr. Ferguson announced a general election for December 1st, offering a measure of Government Control as the issue of the day. Hon. Mr. Nickle, who had been unable to agree with the proposed Government policy had resigned, to be succeeded by Hon. W. H. Price, Hon. Dr. J. D. Monteith of North Perth, had been named as Provincial Treasurer, Hon. Wm. Finlayson of East Simcoe as Minister of Lands and Forests, and Hon. Dr. D. Jamieson as Minister without Portfolio.

The campaign which followed was vigorous and even virulent, but the issue was clear, and the result was clearer still. The Government was returned by a majority of 38—there being 75 Conservatives as against 37 of all other Parties and Groups. And of this minority five were pledged to the support of Government Control.

A Special Committee was appointed by the House in 1924 to make a survey of the agricultural interests of the Province. During the year evidence was taken in fifty-four districts, dealing with dairying, field crops, fruit and vegetables, live stock, marketing, education and its relation to agriculture, immigration and farm labour, the farm home, roads, reforestation, fur-farming and general commodity prices. Dr. D. Jamieson was the Chairman; the other members of the Committee were T. A. Thompson, N. W. Trewartha, W. D. Black, Wm. Keith, M. M. MacBride, J. G. Lethbridge, and A. Belanger, with P. F. Cronin as Secretary. The Report which is Appendix No. I in the House Journal of 1925 is an admirable summary of the farm problems of the Province and doubtless will be the basis of a general agricultural policy for the Conservative party.

On March 1st, 1926, Hon. James Lyons, Minister of Lands and Forests, resigned his office, making a statement to the House in explanation. Opposition members had intimated in Parliamentary questions and otherwise, that the Minister's business firm at Sault Ste. Marie, the Lyons Fuel and Supply Company, Limited, had been selling goods to the Government, improperly and perhaps corruptly. Since most of the trade of the Company was with north country firms and persons doing business as Government licensees, or with indirect Government association, Mr. Lyons assured the House that if exception were taken to such business secured in the ordinary way by competitive tender he must give up his Cabinet post in order to prevent the ruin

of his personal interests. He added: "The occurrence cannot stop with the acceptance of my resignation. I desire the Public Accounts Committee to investigate any transaction that could on public grounds be challenged. I have faith and confidence that every dealing will be found honest and square."

The judgment of the Public Accounts Committee, after an exhaustive inquiry was that Hon. Mr. Lyons was entitled to complete and unqualified exoneration and that the record of his Company's business dealings with the Government was beyond reproach.

## CHAPTER II.

### THE PROVINCIAL LIBERAL PARTY

Liberalism is a relative term and thus is forever undefined and indefinable. A programme of government which may seem daring to one generation is a commonplace to the next, and an antique to the next generation but one. Conservatives in this day would not endure such conditions as existed when the Province of Ontario was established. Other men laboured and they have entered into their labours. Liberals grumbled, objected, protested, until by and by each grievance was modified or removed by reluctant administrators. Nothing serious happened as a consequence of any particular reform or of any series of reforms. The country adjusted itself to the new conditions and soon forgot that the "good old times" were not as good as some people averred.

While Conservatism under the British Constitution has found itself continually growing more Liberal in principles and in outlook, Liberalism has continually been sloughing off natural Tories. In England the first Liberals were the Whigs, but there came a time when a Whig nobleman was intellectually so far behind the Liberal procession that he was not recognized even as a straggler. In Canada a Baldwin Reformer was at one time in the very vanguard of Liberalism. A man today holding such views as the Baldwin Reformers cherished would be like Noah's dove; he would find no rest for the sole of his foot in the political world of our time. There has been a continual advancement in both Parties towards the Democratic ideal; which may be stated, loosely, as a fair deal to every social man; *pax hominibus bonae voluntatis,* peace to men of good-will.

In the general narrative relating to the founding and progress of Upper Canada an attempt has been made to show the nature of the objections raised by a series of ardent men to the form and the practice of government. Joseph Willcocks, before the war of 1812-1814, and Robert Gourlay immediately after, Dr. John Rolph, Peter Perry, Marshall Spring Bidwell, William Lyon Mackenzie, Duncombe, Lount, Mathews, and the pikemen of North York; Egerton Ryerson, Robert Baldwin and Francis Hincks; George Brown and his circle, William McDougall and the Clear Grits. Thus we have been brought to the period of Confederation when Liberals and Conservatives united to establish the Dominion of Canada on an enduring basis; to make a fresh start in the business of government.

The Province of Ontario was organized under a Coalition headed by a nominal Liberal, now recognized as a Conservative in essence if not in name. His chief opponent in the House was Edward Blake who took a stand on the question of the responsibility of the Administration to secure a direct vote of the Legislature for the outlay of public money on railway subsidies and was able to defeat the Government after an encouraging

response to his appeal to the country. Mr. Blake was the first Premier of Ontario to come, as it were, direct from the people.

Edward Blake, a native Canadian of Irish parentage, was born in the Township of Adelaide near Cairngorm, in 1833. His father, William Hume Blake, found pioneering in the bush a less rosy existence than he had imagined it to be in his Galway dreams, and soon after Edward's birth he removed to Toronto where he began the study of law. He was "called" in 1838 and soon won a reputation as a barrister of uncommon talent. In 1848 he joined the Baldwin-La Fontaine Government as Solicitor-General, and a year later became Chancellor of Upper Canada, an office which he ornamented for many years. Edward went to Upper Canada College at the age of eleven, and after a creditable course both there and at the University, began the study of law and was "called" in 1857. Like his brother Samuel he soon won a place amongst the leaders of the Bar. When he entered political life in 1867 he was well-known and highly regarded by the whole country. He was elected to the Provincial Assembly for South Bruce, and to the Federal House of Commons for West Durham and held both seats until the practice of dual representation was ended in 1872. For the first two years of the Provincial Legislature Archibald McKellar was the titular leader of the Liberal Opposition, but he himself as well as other members of the Party soon realized that the leadership should go to Mr. Blake. His ability was supreme, his art as a speaker was exceptional, and he had a dignity and fervency of spirit which brought him to the foremost position in any company. On December 20th, 1871, he became Premier of Ontario but retired to Ottawa in the autumn of 1872. Before leaving the Provincial arena, however, he did his Party and his country a service by prevailing upon Hon. Oliver Mowat to resign the office of Chancellor of Ontario and succeed him as Prime Minister. There was much unfavourable comment by Conservatives at Mr. Mowat's action "in exchanging the spotless ermine of the Bench for the unclean raiment of Party Politics," but the objection seems to have been factious and unwarranted. After all an office does not make the man. Oliver Mowat was as fine a citizen as a Party Politician as he could have been had he continued upon the Bench. His usefulness in the establishing of the Province and in the definition of its rights within Confederation will not be denied.

He was sworn in as Premier and Attorney-General in October, 1872, and his colleagues in the first Mowat Ministry were Hon. Adam Crooks, Provincial Treasurer; Hon. Archibald McKellar, Commissioner of Agriculture and Public Works; Hon. T. B. Pardee, Provincial Secretary and Registrar, and Hon. R. W. Scott, Commissioner of Crown Lands. He was elected for North Oxford, the sitting Member, George Perry, having resigned in his favour. In the Session of 1873 provision was made for the consolidation of all existing Acts relating to municipal government. The actual work was done by Hon. Adam Crooks and John G. Scott, Clerk of the Executive Council; and the Consolidated Municipal Act of 1873 took



SIR OLIVER MOWAT, K.C.M.G.
Premier, then Lieutenant-Governor of Ontario

its place in the Statute Book as "the most complete and perfect code of the kind in any country of the world." (*)

There were a number of other Acts relating to legal and political administration—among them, one authorizing voting by ballot, an innovation considered by the Conservatives as un-British and unnecessary; but the prime achievement of the Session was the settlement of the Municipal Loan Fund question.

Mr. Mowat, being a man of intelligence, knew well that there could be no hope of progress for the Province until these troublesome debts were out of the way. A detailed statement of the condition of the Fund in 1867 has been already given. By 1872 the forty-four municipalities involved owed the Province in the aggregate about $12,000,000 in principal and arrears of interest. The Province in turn was paying 6 per cent. on the money which the former Province of Canada had borrowed and re-loaned to the municipalities. Thus all the communities in the Province were burdened because of the financial errors or misfortunes of the forty-four. There was another side to the question of the utmost importance. Some municipalities were so hopelessly involved that they did not trouble themselves; others were regarding the idea of Repudiation with too much complacency and practically were daring the central authority to collect. Still others insisted that the policy of subsidizing new railways with Provincial funds had been the cause of discrimination against the municipalities which had accepted all the burden of constructing the earliest railways. Hon. Edmund Burke Wood, the Provincial Treasurer of the John Sandfield Macdonald Ministry, had made a study of the chaotic situation and had sketched the outlines of a settlement to be based on the distribution of a part of the Provincial surplus. The Government now devoted itself to filling in the details. The basis of the plan was that the surplus funds, in the hands of the Treasurer, by right should be returned to the municipalities, proportionately to population, and at the rate of $2 per head. In cases where railways had been constructed with municipal aid alone, an allowance of from $1,000 to $2,000 a mile was to be made to the municipalities interested. Where the railway investment of one municipality had been destroyed by the construction of a competing line or by direct or indirect act of Parliament, the indebtedness was to be forgiven.

If the amount of the poll-subsidy proved insufficient to extinguish the indebtedness of any municipality the balance was to be secured by twenty-year debentures which would be handed to the Government and by it in turn to the municipalities as part of the subsidy. Thus the Government would cease to be a creditor. The complete scheme was set forth by Mr. Mowat in a series of resolutions presented to the House on March 7th, 1873. They are reproduced here in full:

Resolved: That it is expedient to provide for the re-arrangement of the Municipal Loan Fund debts so as to secure the due and regular payment of

*A statement by Chief Justice Harrison.

such of them or of such portions thereof, as are to be paid. That it is expedient to distribute amongst the municipalities of the Province for local purposes, the future produce of the said debts, and so much of the other funds of the Province as may, with the produce of the said debts, be equal to the allowances hereinafter mentioned.

That with respect to those debts to the Municipal Loan Fund, on which an assessment of five cents on the dollar on the assessed annual value of the property of the indebted municipality in 1858 was not sufficient to pay the interest, the practical effect of the Statute 22 Victoria, C. 15 (entitled an Act further to amend the Consolidated Municipal Loan Fund Acts) has been to reduce every such debt, on the 1st day of December, 1859, to the sum on which the said rate of five cents on the dollar would pay interest at five per cent.; that it is expedient to accept this reduction as the basis of a new settlement with all municipalities which desire the benefit of a settlement on that basis, and to give to other municipalities some compensation in respect thereof by making to such other municipalities the allowances hereinafter provided.

That for many years it has been the policy of this country to give public aid to useful railway enterprises; that the late Province of Canada largely aided certain railways in Upper Canada; that other railways in Upper Canada were built without any aid from the Province of Canada, but with large aid from some of the municipalities in Upper Canada, by taking stock in the railway companies, which were to construct the said railways, and by making loans to the said companies, which stock was taken and which loans were made on the mistaken representation to the said municipalities, and in the delusive expectation by them, that their advances would be made good out of the profits of the railways; that the railways so respectively aided by the said Province and by the said municipalities have been greatly instrumental in developing the wealth and resources of this Province; and that with respect to the said railways so built without any Provincial aid, it is expedient, in view of the said facts, to credit to such of the said municipalities as are not benefitted by the Statute 22 Vict. C. 15, a sum equal to $2,000 a mile of railway so aided, the said sum to be divided amongst the municipalities respectively, in proportion to their said contributions, and to be allowed to each as a payment at the date of its debt therefor being contracted.

That after the Confederation of the Provinces in 1867, and before the passing of the Railway Aid Act of 1871, divers municipalities, which will not be benefitted by the said Statute 22 Vict. C. 15, have given sums of money by way of gift or bonus to divers railways or portions of railways, which if not commenced prior to Dec. 7, 1870, would have been entitled to aid under the said Act; that the sums so given were larger than might have been necessary, if the said railways had received aid from the Province in the same way as the Act of 1871 provided with respect to railways commenced after the said date; that it is expedient to make to these municipalities an allowance, as of the 1st January, 1873, at the rate of $1,000 per mile of the portions of railways aided by the said municipalities respectively; such allowance to be divided amongst the said municipalities, in proportion to the amount of their said contributions to the railway; provided that this allowance shall not entitle any municipality to an allowance in respect of any railway which may receive aid from the Legislature during the present Session, or to any railway which, if commenced after the passing of the said Railway Aid Act, would not be entitled to aid under the provisions of that Act.

That it is expedient to give to municipalities in default, and not benefitted by 22 Vict. C. 15, credit as of 1st January, 1873, as against their debts, for

the share which would from time to time have been payable to them respectively, of the Clergy Reserve Fund if they had not been in default to the said Municipal Loan Fund.

That it is expedient to allot to all municipalities not benefitted by the Statute 22 Vict. C. 15, the sum of two dollars per head of the population. according to the Census of 1871; which allotment shall be in addition to the railway allowances aforesaid where these are applicable; and that the allotment or railway allowances aforesaid shall be applied as follows:

1. The amount going to a county, city, or separated town shall be applied first to pay the debt to the said Fund.
2. Where a balance remains of the allotment to a county, the share according to population of any municipality therein which is indebted to the said Municipal Loan Fund shall be applied towards the payment of such debt.
3. The remaining sum going to a county (or in case the county was not indebted to the Municipal Loan Fund the whole sum going to the county) in respect of the said allotment and railway allowance, shall be divided among the local municipalities therein according to population and shall be applied in aid of railways, of drainage, of the building or improvement of the Courthouse or gaol, of the building or improvement of an hospital, of providing for the use of the municipality an industrial farm, a house of industry or of refuge, or in building or improving schools, public halls, bridges, harbours, piers or gravel roads, or shall be applied in making other permanent improvements affecting the municipalities, or shall be applied in or towards the reduction or payment of municipal obligations already contracted for permanent works; and proper provision should be made for the due application of the money to the objects specified.
4. The amount going to any city or local municipality after the payment of debts shall be applied to any of the said objects, which may be determined by the council of the city or local municipality at any time after the first day of February next.
5. Where a portion of a county or union of counties indebted to the Municipal Loan Fund has been separated from the indebted county or union and has assumed part of the debt of the county or union, the allotment in respect of the railway allowance shall be divided in like manner.

That a like sum of $2 per head be allotted to those Districts which have not yet been organized into municipalities and shall be applied to permanent improvement affecting the localities, and approved by the Legislature.

That in view of the past history of the Municipal Loan Fund, it is essential that the new debentures to be obtained from municipalities indebted to the said Fund shall not exceed an amount which shall constitute such debentures good and reliable investments to all holders; that by the Municipal Act of 1866 it was enacted that no Municipal Council shall assess or levy in any one year more than an aggregate rate of two cents in the dollar (exclusive of school rates) on the value of the rateable property in the municipality; that it is expedient, in making a final arrangement of the Municipal Loan Fund debts, to act upon the policy involved in this enactment, and to provide that, in case a rate of two cents in the dollar would be insufficient to pay five per cent. annually on the debt, or reduced debt, to the said Fund, after allowing for the ordinary and necessary expenses of the municipality (other than schools) the amount of the debt to the Municipal Loan Fund shall

be placed at such a sum that the interest thereon at five per cent shall not exceed what an assessment of two cents in the dollar on the assessed value of the property in the municipality would be sufficient to pay, after meeting the ordinary and necessary expenditure of the municipality other than for schools as aforesaid; that it is expedient that the annual amount to be so paid should be fixed and not fluctuating; that the amount of the assessment and of the ordinary and necessary expenditure, respectively, of the year, 1872, be therefore accepted as the basis of the said calculation and settlement.

That where injurious legislation, affecting the securities and position of a municipality indebted to the Municipal Loan Fund has taken place without the knowledge or concurrence of the municipality, or against its active opposition, and in the interest or supposed interest of the public or other parties, and has resulted either in no railway being built, or in the building of a railway which has not advanced the local interests of the indebted municipality, it is expedient, in view of such injurious legislation to cancel the balance still due by any such municipality to the Municipal Loan Fund after making the allowances hereinbefore provided for.

That the City of Hamilton took stock in the Berlin and Preston Railway, and issued debentures therefor amounting to $200,000; that $80,000 of these debentures were purchased by the late Province of Canada and are now held by this Province; that no interest has been collected thereon since the same were purchased by the Province of Canada, shortly after the issuing of the said debentures; that in consequence of certain proceedings authorized by an Act of Parliament of the late Province of Canada, 27 Vict. c. 56, the said railway has been destroyed; and that having regard to these facts, and to the financial position of the said city, it is expedient to cancel the said debentures now held by the Province.

That where any municipality holds revenue-producing investments, made with the money borrowed or obtained under the Municipal Loan Fund Acts, or with the produce of such money, such investments shall, at the discretion of the Lieutenant-Governor in Council, be assigned in such a way as he may appoint, as a security for the balance due by the municipality to the said Fund. Or, where such investments are of greater amount and value than the balance so due, the Lieutenant-Governor in Council may require the said investments to be assigned absolutely, in discharge of the said balance.

That new debentures be obtained from the indebted municipalities respectively, for the balances due by them; that the debentures shall be in such form and for such respective sums as the Lieutenant-Governor in Council shall direct; that the debentures shall provide for payment by the same sums per annum, as nearly as may be, as the municipalities are now liable to pay; provided that no more shall be payable annually for twenty years than two cents in the dollar on the assessment of 1872 would provide for as aforesaid; and that no debenture shall allow more than twenty years for payment of principal; that these debentures shall, as far as practicable, be equally distributed at par among the municipalities entitled thereto, in proportion to the sums to which the said municipalities are respectively entitled; that any balance going to a municipality after such distribution shall be paid in money; and that the debentures shall be delivered and the money paid to the municipalities, or to their use, at any time after the first day of February next under proper statutory regulations fitted to secure the due application of the said debentures, or the produce thereof, and of the said money to the objects specified.

The schedules accompanying the Resolutions showed the effect of the

policy on the finances of the various municipalities. Those municipalities which had nothing to pay or to receive were Dundas Town, Norwich, Prescott Town, Simcoe Town, Windham, Woodhouse and Woodstock. The new indebtedness of the other municipalities after the application of the 5 cent rule, the 2 cent rule and the subsidy allotment was as follows:

| | |
|---|---|
| Northumberland and Durham | $204,553.31 |
| Perth | 189,075.67 |
| Ottawa City | 19,186.45 |
| Barrie | 5,200.68 |
| Belleville | 2,568.20 |
| Cornwall | 252.19 |
| Guelph | 51,315.00 |
| Hope | 94,354.77 |
| St. Catharines | 262,149.32 |
| Lanark and Renfrew | 322,069.93 |
| Brantford | 194,018.87 |
| Elizabethtown | 98,847.23 |
| Goderich | 101,823.93 |
| Ops | 38,216.51 |
| Port Hope | 166,960.73 |
| Peterborough | 72,430.46 |
| Stratford | 77,797.79 |
| Brockville | 135,375.00 |
| Chippawa | 3,318.00 |
| Cobourg | 69,580.00 |
| London | 486,058.65 |
| Niagara | 14,205.00 |
| Total payable by the Municipalities | $2,711,835.97 |

The following municipalities had credit balances as stated, after their indebtedness had been wiped out:

| | |
|---|---|
| Bruce | $ 97,367.80 |
| Elgin | 73,332.33 |
| Essex | 46,056.06 |
| Grey | 117,376.10 |
| Huron (except Goderich, Howick and Stanley) | 197,110.66 |
| Hastings | 23,019.50 |
| Lincoln | 31,711.94 |
| Lambton | 73,231.82 |
| Oxford | 70,985.60 |
| Bertie | 9,046.75 |
| Brantford Township | 47,549.16 |
| Canborough | 3,288.64 |
| Moulton and Sherbrooke | 10,547.07 |
| Middleton | 4,917.74 |
| Paris | 19,972.69 |
| Stanley | 4,849.73 |
| Wainfleet | 14,518.28 |
| | $844,882.87 |

The other municipalities, which were not indebted to the Municipal Loan Fund, received a poll allowance of $1,643,840.00, and a Railway subsidy allowance of $216,325.00; in all, $1,860,165.00. In fine, the Government by the distribution of $2,705,047.87 had collected $2,711,835.97 (or 25% of an uncollectable debt) and had written off the rest.

In many respects the settlement of the Municipal Loan Fund debts was a remarkable administrative achievement, perhaps the most remarkable, for sheer cleverness, in the history of the Province or of the country. Yet the reputation of Premier Mowat rests rather on his long fight for the recognition of Provincial authority and for the definition of the loose phraseology of the British North America Act. The aim of the "Fathers" in setting up the Federal Union of Canada was to avoid the unhappy experience of the United States where State Rights had weakened the central authority. Not until after the Civil War was the supremacy of the Washington Government fully affirmed. In seeking to buttress the Federal power at Ottawa the "Fathers" regarded the Provinces as subordinate in every sense—even with respect to legislation dealing with subjects reserved to the Provinces.

Andrew Mercer had died intestate in Toronto in 1871 and without legal heirs. Under common law his estate fell to the Crown, and the Legislature passed an Act authorizing the Attorney-General of the Province in such cases to take possession in the name of the Crown. Hon. Mr. Fournier, Federal Minister of Justice, recommended the disallowance of the Act on the ground that the prerogative of the Crown was exercised in Canada solely by the Governor-General in Council. Mr. Mowat took the case to the Courts and proceeded with varying fortune to the Judicial Committee of the Privy Council where a unanimous judgment was recorded in his favour. Then the disallowed Act was re-enacted by the Legislature.

By the Crooks Act the Legislature had taken over the control of liquor licenses and had authorized the appointment of license commissioners as administrators of the law. A man named Hodge, convicted of illegal selling, appealed the case on the grounds that the Crooks Act was beyond the powers of the Legislature. This case also went to the Privy Council and the decision was favourable to the Province. In a similar manner objection to a Provincial statute respecting fire insurance was taken by two Companies which were operating under charters not granted by the Province. Again the highest Court in the Empire ruled in favour of the validity of the statute. Then in 1881 the Legislature passed "An Act for Protecting the Public Interest in Rivers, Streams and Creeks," whereby the right was given to all persons to float logs downstream; slides or other improvements built by private enterprise could not be monopolized by the owners to the disadvantage or obstruction of lumbermen holding timber limits farther up the stream. A rate of toll, however, would be fixed by the Government in such cases, payable to the owners of the slides. Court decisions had been given in the contrary sense, and the Federal Government disallowed the law on the grounds that it took away private property with-

out making adequate compensation. The Legislature denied the right of the Federal power to interfere and passed the law again in 1882. It was again disallowed, and re-enacted in 1883. Meanwhile the case of McLaren and Caldwell, in which the legislation was in question, went to the Privy Council and the decision affirmed the right of the Province to pass such a law.

Aside from the value of securing authoritative opinion on the competence of the Legislatures of the Province, the political value of such litigation to the Liberal Party can not be denied. To have the leader in the role of a Champion of Ontario as against the wicked Tories of Ottawa who desired to coerce or impede the Province was an ideal condition for the Liberal editor or platform orator. There was—and is—in the Province a great body of opinion favouring the view that the true Canadian spirit could be found only in the territory between the Ottawa River and the Manitoba boundary. Only in that region could be found a dominant English-speaking, British-thinking, and Protestant population, whose grandparents had preserved the country to the Crown. Ontario pride resented the suggestion that its Provincial Government and Legislature must be kept in leading strings by an Administration that drew steady support from French-speaking members from Quebec. Therefore, Provincial Rights was a battle-slogan of great political value. It became more important and useful in connection with the Boundary Dispute (*) which was determined in Ontario's favour by the Privy Council in 1884 after twelve years of argument.

The return of the Premier from England after arguing the case was the occasion for a series of public demonstrations in which Conservatives and Liberals alike participated. At Niagara Falls, Welland, St. Catharines, Grimsby and Hamilton crowds were assembled to give the Little Premier a cheer. At Toronto on September 16th, 1884, the arrangements were distinctly original. There was a great procession representing the various Liberal constituencies of the Province. Each constituency had in the march as many delegates as the majority of the sitting Member. Mr. Mowat's own North Oxford had 280. Altogether some twelve thousand men were in line and fifteen bands blared triumphantly until the procession halted in Queen's Park for an outflow of oratory. In the evening there was a dinner of 1,500 covers in the Granite rink, Hon. Edward Blake presiding. A week later Woodstock provided an imposing demonstration in which over twenty thousand people participated, and Barrie celebrated the victory on September 23rd. On the following New Year's Day the City of Toronto which never was noted for its Liberalism, presented to the Premier a complimentary address. In the course of a most happy reply Mr. Mowat said: "I do not infer that you have any political sympathy with me, that you have any leanings towards the Liberal Party. I do not suppose at all that you are going to come over to us. I wish I could. But I understand you to mean that if the people *will* have a Reform Premier, and a Reform

*See pp. 409-412 for a review of the case.

Attorney-General, you are glad that I am that Premier and Attorney-General. I accept the compliment in that sense. And may I express my hope that after my official life comes to an end, and my political opponents are as free to speak of it as they now are free to speak of my municipal life (*) they will be able to speak as kindly, in as complimentary terms as they have done today of my municipal life."

Two years after the settlement of the Boundary Question came the beginning of a national agitation for Commercial Union, the rosy scheme devised by Erastus Wiman, a former Canadian, and supported by Goldwin Smith and a number of American politicians, to eliminate the Customs barriers between Canada and the United States. Those who imagine that this agitation was merely economic would do well to read "The Struggle for Imperial Unity" by Col. Geo. T. Denison. He has declared that it was a treasonable conspiracy and Col. Denison was not accustomed to write statements that he could not prove. The plan was for Canada to adopt a tariff uniform with that of the United States as against all European countries, while trade between this country and the Republic should be as free as it is between any two States in the Union. The scheme was hastily approved by a convention of Farmers' Institutes meeting in Toronto in April, 1887, great quantities of "literature" appeared in all parts of the country and many Liberals accepted the new policy whoopingly. *The Mail* and *The Globe* of Toronto and many other newspapers throughout the country gave it their blessing. The great objection to the project, even if it had been innocently conceived, was that Canada would be permitting its tariff to be made in Washington; one marvels that the advocates of it, who were still loyal to British connection, did not perceive the implications. Mr. Mowat perceived them and refused to countenance the policy, despite great pressure from Liberal friends. Mr. Biggar in his *Sir Oliver Mowat* says: "I remember, just before the Interprovincial Conference of October, 1887, an active Liberal politician saying to Mr. Mowat in the drawing-room of his house on St. George Street: 'If you take that position, Sir, you won't have four per cent. of the party with you.' To which the reply came with unusual warmth and sharpness: 'I cannot help it if I haven't one per cent. I won't support a policy that will allow the Americans to have any—even the smallest—voice in the making of our laws'." It was through the influence of Mr. Mowat that the subsequent Conference of the Provinces was steered away from a declaration for Commercial Union. Unrestricted Reciprocity he favoured, but he insisted on Canadian freedom of action and British connection.

As the campaign grew warmer many of the supporters of the Commercial Union idea threw off the mask and came out for Annexation. Then on February 18th, 1891, Sir John Macdonald speaking in Toronto quoted at length from a pamphlet written by Edward Farrer, an editorial writer lately transferred from *The Mail* to *The Globe*, setting forth the reasons

*Mr. Mowat was an alderman in the Toronto City Council in 1857 and 1858.

in favour of Annexation. A few copies had been printed privately for the advantage of certain American politicians, but the proofs were delivered by a loyalist printer to Sir John and he made excellent use of them. *The Globe* promptly disavowed the sentiments of the pamphlet, and Mr. Farrer printed an open letter affirming his right to think and write as he pleased. All the ingrained loyalism of the people of Ontario was awakened. Families which had almost forgotten the stories of 1812 and 1866 began furiously to remember. The members of the Imperial Federation League were active. The Orangemen and the Sons of England wakened and the Federal Conservatives walked the road to victory. It was no pleasure for Mr. Mowat to see his old enemy again triumphant, but he preferred to see the Liberal Party on the wrong side of victory rather than to have it entangled with American politicians for the destruction of Canadian nationality. That he was right and that all the Commercial Union advocates were wrong in judging the sentiment of the Liberal electors was proved to the last degree. There is found in Mr. Biggar's *Life* (*) letter written about this time by Mr. Mowat to Hon. Alexander Mackenzie in which the reasons against Annexation are presented. No clearer statement on the subject was ever made, and the Liberal Party may well be proud of the man who wrote it. The argument under seven heads may be summarized as follows:

1. Britain is our own nation as it was the nation of our fathers. We rejoice that we were born under the flag. We have no grievance against the Imperial Government or Parliament since we have had representative government for a century and responsible government for half-a-century.
2. Canada was won by British blood and treasure and thereupon belonged, with all its undeveloped wealth, to the British people. All the resources were transferred as a gift to the British people residing in Canada. To transfer this great Dominion to another nation, for some unexpected advantage to us of a material kind, would be in accordance with neither patriotism nor sound morals.
3. In case the Dominion of Canada should cease to be a part of the British Empire it should become an independent nation in perpetual amity and alliance with the fatherland and with the United States. In case of annexation Canada would be no more. Annexation would be an absolute transfer of this great country and all its resources and federal interests from its own people to the people of the United States. Canadians can have no pleasure in such a prospect.
4. The unfriendly feeling towards our nation on the part of the people of the United States presents one of the most powerful objections on the part of the Canadians to political union with them. Happily all do not share this animosity but it predominates among the great mass of the population. The proofs are to be found in the school books, in the fourth of July orations, in the tone of the newspapers, in the diplomatic documents, in the election cries, in the speeches of public men. In the words of Goldwin Smith, this animosity is a narrow and mean tradition unworthy of a great people.
5. Those who think that annexation would be a convenient way of eliminating the high American tariff which militates against our farmers are

*Page 586 to 607, Vol. II.

few. It would be a new thing for men of British blood to submit willingly to be bullied or harassed or otherwise coerced into a union which is for any reason distasteful or objectionable.

6. Our Constitutional system is better than that of the United States. The jurisdiction of the Federal legislature is better because administration of the militia, of the criminal law and the commercial law relative to bills of exchange, promissory notes, interest and legal tender, are controlled by the central authority. There is a Federal Court of Appeal from the Provincial Courts on all subjects. We have a permanent civil service. Our Judges are independent; none of them is chosen by popular vote. Our system provides for responsible government in both the Federal authority and in the Provinces, instead of the election of executive officers for fixed terms and the exclusion from the Legislatures of the heads of departments.

7. Canada was loyal to British connection when all power was in the hands of the aristocracy and some privileged classes. Are there any Liberals who will be less loyal now when the body of the people are the controlling power? Some have decried sentiment as childish, but this decrying of sentiment is absurd. No State of the Union would consent to transfer its allegiance to a foreign power however strong material interests should be in that direction. Nothing shocks men more than the idea of selling their country for gold, however great the quantity of gold may be.

This seven-fold argument is more powerful to-day than it was in 1891, for the national spirit of Canada has been raised by participation in the Great War. Canada is no longer a timid weakling among the nations.

On July 13th, 1896, Sir Oliver Mowat resigned the Premiership to join forces with Hon. Wilfrid Laurier, and was succeeded by Hon. A. S. Hardy, who had been a Cabinet Minister since 1877. He was a forthright man with many merits, but his physique was not equal to the strain of leadership and after two years he retired in favour of Hon. George W. Ross, Minister of Education since 1883. According to current rumour Mr. Ross's interest in his Department had been so keen that he had paid but little attention to the other activities of the Government and the Party. He was a man of great talent and commanded the loyalty of Liberals everywhere, but one may doubt if he had in him the capacity of "laying down the law." He was intense in his Partyism and was indulgent towards Liberal error.

It is hard to consider loyalty as an offence, but undoubtedly the Liberal Party suffered by reason of the enthusiasm of its friends. Excessive loyalty may be treachery—as when a young man steals finery for the adornment of his lady. During the last eight years of Liberal administration in Ontario Mr. Hardy and Mr. Ross were faced with an Opposition stronger in numbers than any with which Sir Oliver Mowat had to deal, and less scrupulous in speech. Accusations of venality were constantly made against leading Liberals who had the respect and affection of the Party, and the performance of some harebrained worker in a by-election was made an occasion of reckless charges against the Premier and the other Ministers. The use of the numbered ballot exactly similar to the one used in England was made an offence, on the ground that it was a violation of secrecy and lent itself to corrupt practices. Fully as much can be said against the

unnumbered ballot, but the Opposition devoted itself to denunciation rather than to reason and assumed an attitude of superior virtue which embittered the relations between the Parties and spurred all Liberals to incessant activity. Men whose partisanship was not balanced by character were found on both sides, working like beavers in the by-elections and regarding the Election Law rather as an expression of pious aspiration than as a practical rule of conduct. It was not unnatural that the Government following should produce a body of election experts. Many were in the Provincial service and the continuance of the Party in office touched their personal interest. The "Organization" got into the bad habit of maintaining a group of peripatetic labourers whose appearance in any doubtful constituency was the signal for the development of an unwholesome queerness in the business of canvassing and in the art of voting. The reports of the Judges in election cases began to afford ammunition to the Conservatives, and finally in South Waterloo and West Elgin (*) the situation became intolerable to leading Liberals outside the House. *The Globe* in 1903 demanded that the barnacles should be scraped off the Ship of State with an iron hand, and the same opinion, perhaps less picturesquely expressed, was held by great numbers of unofficial members of the Party throughout the country.

Hon. Mr. Ross, with his genial good nature and his sympathy for all active friends of the Party, lacked the domineering quality necessary in such circumstances. He could not devastate the neighbourhood with a sentence as Hon. Mr. Hardy could have done, or freeze with a look, as Sir Oliver Mowat. When in 1892 Sir Oliver dismissed Elgin Myers, a Crown Attorney who had expressed himself as favourable to annexation, he disgusted a good many Party workers, but increased his following in the country. When Sir John Macdonald, irritated over the Boundary dispute, called Oliver Mowat "a little tyrant" and talked of compelling him to accept the Federal view of the case, he was more complimentary than he intended to be. A tyrant is one who imposes his will on all and sundry. In politics a great leader must be a tyrant. Sir John himself dominated his followers and while he invited opinions from them he ruled by reason of his own. Mowat was of similar type. While he was in power he was in his own person the Liberal Party of Ontario. He said that the Cabinet was a band of brothers; so it was, but he was the Elder Brother, the undisputed head of the household. The scholarly Crooks, the ebullient Fraser, the stormy Hardy, the clever Ross, all sat in the family carriage, but Mowat drove. The most influential Liberals in the Province and the humblest were subject alike to the will of the Premier; a will concealed by smooth speech and engaging manners, but a will steel-hard, and hafted with a hickory character. The Liberal Party was strong because the country believed in the honour and patriotism of Oliver Mowat. At the same period the Federal Conservative Party was strong because the country believed in the honour and patriotism of Sir John Macdonald. After Sir John died the

*See pages 420-421 for the details of the case.

end of Conservative rule was in sight. After Mowat went to the Federal House the Liberal Party of the Province began to crumble.

Here is a paradox: the whole object of Democracy is to find an Autocrat, and Democracy is never successful until one is found. Policies are secondary. Whether the franchise be restricted or wide-open the result is the same. The electors of Ontario soon grow weary of clever men, of easy-going men, of bigots, of pompous weaklings, of all sorts of ordinary persons and personages. But let them once find a man of personality and character, who is sound on the prime question of British connection, a man who is observed in any company, and they are satisfied. Errors of judgment do not weaken his hold upon the people.

In this instance no autocrat was available. Hon. Mr. Ross had a touching, almost child-like, trust in the honour of all Liberals. Criticism found him incredulous, even when it was soundly corroborated. As for Conservatives he was inclined to say of them—at leisure—what King David said, in his haste, of all mankind. In June, 1901, the Premier spoke at Lyn near Brockville, when he outlined a general programme for the Liberal Party at the coming elections. On this occasion he recalled certain promises made in November, 1899, and declared that they had been fulfilled in letter and in spirit. The first was to punish persons reported by the Courts for corrupt practices. In Halton there had been nine convictions and $2,600 had been collected in fines; in South Ontario, 19 convictions, and penalties of $4,600; in South Perth, two convictions and fines of $300. In some cases, he said, prosecutions were impossible because the persons reported had left the country; in other cases the offences committed, gross though they were, were not within the Election Act. As to the state of affairs in West Elgin, Mr. Ross said that he had promised the appointment of a commission of Judges to make an inquiry. That promise had been fulfilled, and the Judges, after examining under oath the Liberal officials in that riding had said: "We cannot trace to these persons or to any of them, any knowledge of or participation in fraudulent and illegal practices." Mr. Ross did not meet the Opposition criticism that the appointment of the Commission had been unduly delayed until the wandering offenders were out of the way, that the counsel appointed were active Liberal partisans, and that one of them had been a legal adviser to the "machine." An elaborate statement of the Government's policy on the development of Northern Ontario and the conservation of natural resources was presented, but it is doubtful if the electors were greatly impressed. People generally had their minds on only one subject—the prevalence of electoral fraud, and it may be doubted if the Premier's utterances on general questions of administration were worth, in a political sense, the breath needed to promulgate them.

The elections took place on May 29th, 1902, and the Government found itself with a majority of only four. Through recounts, judicial decisions, and the death of one member, it fluctuated between four and one. Then came three by-elections, North Norfolk, North Grey and North Perth,

where scientific electioneering was not wholly absent, and the Government met Parliament on March 10th with only a precarious command of the House. The majority at the first division was five. The noisome Gamey case (*) came as another blow to the Party and within a year the Minister most directly attacked had resigned office.

Scarcely had the first effluvia of the Gamey Case been blown away when the Sault Ste. Marie election case came to trial. It revealed another malodorous mess; open bribery, the importation of a gang of personators from the American side and their conveyance to a remote polling subdivision on board the *Minnie M.*, a minor steamer of major political importance. Information that the *Minnie M.* was about to sail on a more than doubtful errand had been telegraphed by Conservatives to the Attorney-General, but he took no action. Indeed he had no right to do so. His position was soundly based, but the attacks upon him were so vigorous throughout the country that after some months he resigned his portfolio, while still holding Cabinet rank, and left the Premier free to reconstruct the Cabinet.

The reorganized Ross government was as follows: Prime Minister and Treasurer, Hon. G. W. Ross; Minister of Education, Hon. Richard Harcourt; Minister of Agriculture, Hon. John Dryden; Attorney-General, Hon. F. R. Latchford; Commissioner of Public Works, Hon. W. A. Charlton; Commissioner of Crown Lands, Hon. A. G. MacKay; Provincial Secretary, Hon. Geo. P. Graham. Hon. J. M. Gibson and Hon. F. E. A. Evanturel, ex-Speaker, were Ministers without portfolio. Mr. Charlton had been in the House since 1890; Mr. Graham, since 1898; Mr. MacKay, since 1902.

The new Cabinet was sworn in on November 22nd, 1904, and on the following day a great Liberal Convention met at Toronto, the first since 1893. Senator Kerr presided and the delegates numbered almost 5,000 Generally the convention was harmonious, but there were indications in occasional speeches that the Party had no patience with the lesser organizers. The resolutions for the most part dealt with matters of administration, only three were wholly political; that is to say, were in the nature of instructions on General Policy to the Government. One was a demand for the continuance of election trials until every offender was convicted and punished. It declared that no political or other consideration should stand in the way of the fullest vindication of the sanctity of the ballot and the protection of public morals. It repudiated and condemned in the most unqualified terms every form of bribery and every fraudulent scheme to defeat the purpose of the electorate, and it advised all Liberal condidates to construct their organizations of respectable men of their constituencies.

The second resolution dealt with the activities of public service companies and demanded the removal of obstacles in the way of securing municipal ownership. The third approved of additional restrictions on the

*See pages 423 *et seq.* for details.

liquor traffic and demanded that no new licenses should be granted in Northern Ontario. The convention expressed confidence in the progressive policy, personal courage and capacity, and careful administration of the Hon. G. W. Ross, and in the reconstructed Cabinet.

The Convention met too late. If it had assembled and thundered immediately after the West Elgin affair five years before, the Party might have been in a more healthy state. But the Gamey Case, the "Three Norths" and the Sault Election Case had put the Party in an unfavourable light before the country.

The Legislature was dissolved on December 13th and the campaign which followed lacked nothing. It was picturesque, vituperative and intense and there was no sign of indifference among the electors. On January 23rd Premier Ross issued the following appeal:

**Five thousand Liberals in convention assembled two months ago today, laid down a political platform, to which not a single objection has been offered by the Leader of the Opposition, or by any of his followers. No more comprehensive platform was ever adopted by any political party in Canada. To the farmer it assures a better return for his industry; to the merchant and manufacturer larger sales and wider markets; to the labouring man fuller employment and steadier wages; to railways, larger earnings; to professional men, greater opportunities, and to capital, increased facilities for investment. The cry of corruption against the Liberal party, if ever it had any force, has recoiled upon those who gave it birth. The claim of the Opposition to political purity has been shown to be hypocritical and false; on that claim they rested their case and failed. As leaders of public opinion they have blundered without excuse or palliation. In dealing with large questions they have neither the statesmen nor the initiative of leadership. For thirty years they have discouraged public enterprise and resisted pressing reforms in education, temperance and taxation. Having failed in Opposition, on what ground can they hope to succeed if placed in power? A change of government therefore offers no advantage to any class in the community, except for the Conservative office-seeker. To all others the record of the Government is conclusive evidence of wise financial administration, intelligent management of all the material resources of the Province, and advanced legislation on every question touching the social, moral, or educational interests of the people. On that record I ask the electors for a renewal of their confidence. Let the majority be decisive. Let every vote be polled!**

Despite the inclement weather of election day, January 25th, 1905, a large vote was polled and mostly against the Liberal Party. Sixty-nine Conservatives were elected, as against twenty-six Liberals and one Independent. Five Ministers were defeated, Hon. John Dryden, Hon. J. M. Gibson, Hon. W. A. Charlton, Hon. F. R. Latchford, and Hon. F. E. A. Evanturel. West Peterborough, formerly held by Hon. J. R. Stratton, was lost by the Liberals, while Gamey was re-elected in Manitoulin. Hon. Mr. Ross's majority in West Middlesex was 113, as compared with 604 in 1902, and all the Liberals who were elected found their majorities painfully shrunken. Eleven Conservatives had majorities exceeding 1,000 each.

A long and creditable record of administration had come to an end. Honesty of purpose and intelligence in action had been obscured in the eyes of the electorate by the slimness of a gang of irresponsible party bigots who thought that the winning of an election was more important than the winning of public confidence. The Liberal Party of Ontario was destroyed by fools, whose cleverness and industry only intensified their folly.

In December, 1905, a deputation of Liberals called upon Hon. G. W. Ross at his residence and presented to him an illuminated address breathing confidence and affection, and a cheque for $35,000. Early in 1907 he retired from the leadership of the Opposition and accepted a Senatorship. In due course he was knighted and his closing years were as peaceful and happy as his best friends could hope. He was succeeded in the Legislature by Hon. George P. Graham. After one session Mr. Graham entered the Laurier Government at Ottawa and Hon. A. G. MacKay became the Opposition Leader. Despite his industry and ability he made no appreciable progress in the winning of popular regard, and after the General Election of 1908 his followers numbered only nineteen in a House of 96.

For three years Mr. MacKay had the thankless task of leading a puny Opposition, dispirited by a lack of interest throughout the country, and disheartened by the defeat of the Laurier Government in 1911 on the Reciprocity issue. The Provincial dissolution followed hard upon the Federal election and the Government had all the advantage of the prestige which Mr. Borden's success had brought to the Conservative Party.

In the middle of the campaign, which on the whole was colourless and uninteresting, Mr. MacKay handed his resignation to the Ontario Reform Association meeting in Toronto, and early in November Newton W. Rowell was chosen as his successor. *The Montreal Herald* said of him: "Mr. Rowell may or may not have the peculiar qualities which fit a man for the task of leading other men. That, time will tell. But certain qualities he has undoubtedly which make it look not unlikely that he will succeed. He is, to begin with, a man of the best type in all that has to do with personal conduct and ideals. Secondly, he is a hard worker, and, what is better, an efficient worker. If his close associates admit a fault in him it is that he overdoes it, works beyond what his physical strength is able to sustain. Finally, he is one of the few public speakers who have the genuine oratorical fire. There is plenty of brain work behind what he says, but he is in essence not a debater nor a lecturer, but an orator, an evangelist." It was not to be expected that Mr. Rowell's influence would be weighty enough to make any marked change in the standing of the Party in the House. The policy enunciated was touched with no spark of political fire; it was merely a catalogue of things desirable to be done, which probably at the time Mr. Whitney was better able to do than Mr. Rowell, and fully as willing. The country seemed to think so, for the Liberals elected on December 11th, 1911, numbered only 22—a gain of four as compared with the previous House, but still an inconsiderable group in a Legislature of 106 members.

Mr. Rowell had been long associated with the Prohibition movement and his election to the Leadership of the Liberal Party was a clear indication that the question would soon be a political issue. For six months the subject was under private debate among the leaders of the Party; then on April 3rd, 1912, Mr. Rowell moved in the House the following resolution, seconded by William Proudfoot:

"That in the opinion of this House the public interests demand: (1) The immediate abolition of the bar; (2) such other restrictions upon the residue of the liquor traffic as experience may show to be necessary to limit its operations and effectively to remedy its evils; (3) the strict enforcement of the law by officials in sympathy with law enforcement, and the elimination of political influence from the administration of the law; (4) regulation and inspection of all houses of public entertainment so as to insure reasonable accommodation for the travelling public."

In speaking to the resolution the Liberal Leader first reviewed the relation of the liquor traffic to industrial efficiency, quoting largely from the Report of the American Commission on Labour for 1907 and 1908. Then he spoke of intemperance as a prolific source of crime, poverty and insanity, buttressing his statements with figures from various countries, and opinions of eminent students of social conditions in Ontario and abroad. He mentioned also the significant fact that the governing bodies of five of the churches with large membership in Ontario had adopted resolutions disapproving of the bar and of the practice of treating.

The local option law in Ontario, Mr. Rowell continued, had had the result of indicating the feeling of a majority of the municipalities as in favour of the abolition of the bar. In 1875 there were 6,185 licenses in the Province. By the operation of the Crooks Act the number was reduced to 3,938, and under the local option clause of the existing law there were fewer than 1,800 licensed bars in Ontario. Out of 811 municipalities in the province, 444 were "dry." Of the 367 where licenses were in force, in 118 local option bylaws had received a majority, but not sufficient to meet the requirements of the three-fifths clause. These, added to the 444, would give a total of 562 municipalities in the Province that by a majority vote had expressed themselves in favour of doing away with the bars, although all of the larger municipalities where population was centred were among the number having licensed places. There was a rising tide of public sentiment in this Province, brought about by many forces, towards the opinion that the open bar was a public nuisance and a social fester, prejudicial alike to the home, the church and the State.

"The words used in this resolution," said Mr. Rowell, "mean the cutting off of the hotel licenses at present issued in the province, the wiping out at one stroke of the retail liquor traffic. Local option would then remain in force to operate against the residue of the traffic, such as the shop and Club licenses." He believed that by abolition of the bar a blow would be dealt at the most vulnerable part of the liquor traffic. "I say it with all

confidence to the members of this House," he continued, "that once the bar is abolished in this Province it will never be restored. I do not know what the attitude of the members on the Government side of this House may be, but whatever attitude they may adopt, once the bar is abolished, no political party in this country will ever propose its restoration and re-establishment. Once gone, it is gone forever. One of the difficulties which the situation in the Province presents is the question of divided jurisdiction. Under a decision of the Privy Council the Province has not the right to stop the importation of liquor. It cannot forbid the manufacture of liquor for export, and the word 'prohibit' therefore is something of a misnomer." As a direct consequence of this new Liberal policy Sir James Whitney declared that the Government would introduce legislation to abolish the custom of treating. Throughout the Province there were indications of public approval of the Rowell Policy and signs that the Liberal Party might have once more the good will of the people. But the illness of Sir James Whitney brought to him a universal tribute of sympathy and affection and when the General Election came on, in June, 1914, his appeal overshadowed that of Mr. Rowell—not because the electors were favourable to the bar, but because they loved the Prime Minister and admired his administration.

The result of the election on June 26th was another victory for the Government—83 Conservatives, 26 Liberals, one Independent Liberal and one Labour member. Within three months Sir James was dead, and on October 2nd, 1912, Hon. William H. Hearst had become Prime Minister. In 1916, owing to war conditions, the steady agitation of the Liberal Party, and the activity of Prohibitionists organized in a "Committee of One Hundred," the Government introduced the Ontario Temperance Act forbidding the retail sale of liquor after September 16th. The Liberal Party steadily supported the Hearst administration policies tending to keep alive the war spirit in the Province, and displayed a measure of restraint that did not always satisfy the more radical element of its support.

Under the present system of economic organization the farmer has a grievance; that since his product is necessary for the very existence of mankind its price fluctuates in accordance with the visible world-supply. On the other hand the price of the goods that he must buy for the maintenance of his family, and the conduct of his business: clothing, lumber, coal, machinery, etc., is fixed by national rather than international conditions. Producers of manufactured goods co-operate for their own advantage, and in order to maintain a diversified production the country imposes a tariff on imports, thus shutting out the products of cheap labour, and stifling natural competition. By stressing this apparent inequality, or injustice, Free Trade Liberals have always been able to win converts in agricultural regions, particularly in a period of reasonable prosperity. Just as Labour Unions are at the peak of their strength when production is heavy, Farmers' organizations are most lively when wars or other international difficulties have increased the price of grain. The Grange movement

succeeded the American Civil War; the Patrons of Industry rose to importance after the Spanish-American War; the United Farmers' came into their own after the Great War. There is a cynical saying that in hard times a farmer is too timid to be an agitator. It is fairer to say that in prosperity the contrast between his isolated economic position, and the steady manufacture of millionaires in industrial life becomes too obvious. He perceives an injustice that no spirited citizen would endure without protest.

The Dominion Grange was a class secret society organized in Canada in 1874; an imitation of the American Grange which began in 1867. It was not a fighting organization and deprecated direct political action, but it held strong opinions on combines and monopolies which it believed were the mis-shapen children of Protection. The objects of the Order were "to develop a better and higher manhood and womanhood amongst ourselves; to enhance the comforts and attractions of our homes and strengthen our attachment to our pursuits; to foster mutual understanding and co-operation and to reduce our expenses, both individual and corporate; to buy less and produce more, in order to make our farms self-sustaining; to diversify our crops, and crop no more than we can properly cultivate; to condense the weight of our exports, selling less in the bushel and more on hoof and in fleece; to systematize our work and calculate intelligently on probabilities; to discountenance the credit system, the mortgage system, the fashion system, and every other system tending to prodigality and bankruptcy."

No one could find fault with such a programme; it was devised by serious, thinking men seeing clearly what ought to be done and seeking to do it by the most direct method—that of evangelism. Farm life was socially impoverished when the Grange began its career, and the Order had a rapid growth. Unfortunately, several co-operative business enterprises undertaken by the leaders had no measure of success, and public interest died. For the last ten years of its life the Grange was merely an executive committee theorizing once a year on economics and government. It took no part in elections, but was "Progressive" in political thought, advocating Free Trade, Reciprocity with the United States, the Initiative and Referendum, public ownership of Telephones and opposing Military or Naval expenditures. That is to say, it was a Liberal organization directed by Liberals, although it was not always in harmony with the official Liberal Party.

Reference is made elsewhere to the activities of the Patrons of Industry which succeeded the Grange in public favour, and entered upon the practice of politics in opposition to the "regular" Parties, but this movement also came gradually to a standstill.

In 1902 the Saskatchewan Grain Growers' Association was formed. Within seven years the three prairie provinces were fully organized and the Association had done much to improve conditions, through co-operative buying and marketing. The social side of the movement was stressed, and

the various "locals" became community centres of enthusiasm and class-consciousness. Undoubtedly the telephone and the automobile were strong factors in bringing success. They ended isolation, they made a rural area miles in extent as homogeneous as a village, they gave farming a new interest, and the farmer a new self-respect. Says Hopkins Moorehouse: (*) "The good old days when the farmer was a poor sheep without a shepherd, shorn to the pink hide with one tuft of wool left over his eyes—those good old days are gone forever. It is some time now since he became convinced that if a lion and a lamb ever did lie down together the lamb would not get one wink of sleep. As a matter of survival he has been making use of the interval to become a lion himself, and the process has been productive of a great roaring in the Jungle."

Ontario was deliberate in joining the association of rampant lambs. In 1909 delegates came from the West to confer with the officers of the Grange, and a National Farmers' Association was organized under the name of "The Canadian Council of Agriculture." The aim was political, and for that reason the Grange declined to affiliate.

The United Farmers of Ontario was established in 1914. By this time the Grange was not even galvanically alive, and its nurses, physicians and attendants turned in relief to its successor and its heir. The first president was Ernest C. Drury of Crown Hill. He was succeeded by R. H. Halbert, and in 1916 the Society affiliated with the Canadian Council of Agriculture, accepting of course its general political programme which was strongly Progressive, or Radical. At the 1916 Convention resolutions were adopted favouring the reduction of duties on all British goods, urging Federal war-time Prohibition of the liquor traffic, and deprecating "any large enlistment from the farms for overseas service." In 1917 the Convention solemnly protested against any proposal looking to the conscription of men for battle while leaving wealth exempt from the same measure of enforced service." The suggestion that farmers' sons should be shielded from the hazards of battle in order to produce food may have been economically sound, but the United Farmers of Ontario lost many friends when they promulgated it and sent a deputation to Ottawa to press it upon the notice of the Government.

In 1919 the U. F. O. determined to seek representation in the Legislature. Its programme—eliminating a series of contentious "whereases"—was as follows: (1) To cut out all expenditures that are not absolutely essential; (2) To abolish the system of party patronage; (3) To limit governmental activity respecting commercial co-operation to legislation facilitating co-operative effort, to the keeping of accurate records, and to general education along co-operative lines; (4) To provide equal educational opportunities for all the children of all the people, by greatly extending and improving facilities in the rural districts; (5) To substitute for the policy of expensive Provincial highways a policy of organized continuous road main-

*In "Deep Furrows."

tenance, and of making good roads for all rather than high grade roads for a few, the cost of road construction and maintenance being equitably distributed between city and country; (6) To promote a system of forestry; (7) To encourage and cheapen Hydro-Electric development and maintain effective public control over it; (8) To enact and enforce such prohibitory legislation against the liquor traffic as the people may sanction in the approaching referendum, and as lies within the powers of the Province. Prohibition is an integral part of the Farmers' Programme; (9) Direct legislation through the Initiative and Referendum; (10) Proportional Representation.

The programme up to sub-headings (9) and (10) did not differ materially from that of the Liberal Party, but the last two paragraphs related it to semi-socialistic or advanced political thought, which always is in opposition to the static idea in Liberalism. A year later a Liberal Convention accepted Proportional Representation, and only the Initiative and Referendum separated the parties.

The deferred General Election was held on October 20th, 1919, and at the same time the people voted on four questions respecting the continuance or otherwise of the Ontario Temperance Act. The people turned out the Hearst Government, but strongly approved its Temperance policy. Only 25 Conservatives were elected; 29 Liberals, 45 U. F. O. candidates and 12 Labour and Independents. The majority against the repeal of the Ontario Temperance Act was 406,676; against the open sale of light beer, 325,425. About 1,100,000 votes were polled.

The Farmers were much surprised at their position as the dominant group in the House. On October 23rd after a caucus, the U. F. O. members resolved not to enter into alliance with either of the old Parties, and expressed willingness to accept the task of government. Ernest C. Drury of Crown Hill, who was not then in the House, was chosen as Party leader and after receiving assurances that the Labour group would act with the Farmers he undertook to form a Ministry. The new Government, sworn in on November 14th was as follows:

Premier and President of the Council, Hon. Ernest C. Drury; Attorney-General, Hon. Wm. E. Raney; Provincial Secretary, Hon. Henry C. Nixon; Minister of Lands, Forests and Mines, Hon. Beniah Bowman; Minister of Agriculture, Hon. Manning W. Doherty; Minister of Public Works and Highways, Hon. Frank C. Biggs; Minister of Education, Hon. Robert H. Grant; Provincial Treasurer, Hon. Peter Smith; Minister of Labour, Hon. Walter R. Rollo; Ministers without Portfolio, Hon. Henry Mills, and Lieut.-Col. the Hon. Dougall Carmichael, D.S.O.

When the Union Government was formed at Ottawa in 1918 to enact the Military Service Act, Mr. Rowell resigned the Liberal leadership in the Legislature to accept office with Hon. Mr. Borden. His chief lieutenant, William Proudfoot, K.C., succeeded to the position, and in the following session gave a steady support to Sir William Hearst's war-policy. In

June, 1919, a Liberal Convention was held in Toronto, and H. H. Dewart, K.C., was elected Leader in a vote which was an open reproof to Mr. Proudfoot and the "Rowell Liberals." His approval of Union Government was his chief offence, for by this time there was an element in the country most hostile to compulsory service. Mr. Dewart's nomination was received by the press with mixed feelings, and soon there was an open quarrel between him and Hon. Mr. Rowell, whose policy and political conduct Mr. Dewart had attacked—not softly. As to the new Leader's ability there was only one opinion. His sincerity more frequently aroused debate, particularly with respect to the rigid Prohibition plank in the official Party platform. Under his leadership the election campaign was fought as well as it could have been and in the first Session under the Farmers' Government Mr. Dewart showed himself a good tactician and a worthy debater, but as time went on he did not strengthen his position.

In the official Liberal Party two opinions contended. One group resented the presence of the Farmers in Politics, realizing the truth—that the very formation of the U. F. O. was an implied criticism. The other regarded the Government and its supporters as "separated brethren" and looked forward to the time when there would be "blest reunion, fellowship divine." The first sub-party ably led by Mr. Dewart was instant in opposition, and on some occasions fully as severe as the most hardened Tory. But the conciliators were more numerous, and they were able in 1921 to depose Mr. Dewart and raise to the leadership F. Wellington Hay, who seemed to regard the Government with an affectionate tolerance and fought it with a buttoned foil. Some members of this group were named by the Administration to important offices: J. Walter Curry to the Registrarship of Toronto and J. George Ramsden to a place on the Hydro-Electric Commission. If the Government had been successful at the elections of 1923 a merger, or at least a gentlemen's agreement, with the Liberals might have been expected and the old-line members of the Party would have been marooned on a political desert isle to meditate on man's inhumanity to man. The electors had other plans. In the elections of June 26th, 1923, they were not content with rebuking the U. F. O. Government; they gave notice to the Liberal Party that its course had been unsatisfactory. Only 14 Liberals were elected—a fact that probably caused no enduring grief amongst the non-co-operators. The U. F. O. with 17 members was a spent force in politics; it had followed the course of the Patrons of Industry.

The General Election of 1923 was followed by the resignation of Mr. Wellington Hay. He had been himself defeated and the size of the Liberal group was not such as to encourage him to seek a seat. On August 30th, 1923, a meeting of Liberal Members of the Legislature was held in Toronto and Mr. W. E. N. Sinclair, of South Ontario, was chosen unanimously as Mr. Hay's successor. Mr. Sinclair, as financial critic, had revealed debating strength, pertinacity and coolness and his personal qualities were distinctly attractive. At the opening of the House he was recognized by the

Government as titular Leader of the Opposition, an action which aroused hostile comment by the U. F. O. remnant, led first by Mr. Manning Doherty and later by Mr. W. E. Raney, K.C. Throughout three Sessions Mr. Sinclair "carried on" with quiet efficiency leaving the Progressives to support him or not as they might choose, and being instant in criticism of Government policy and of the practice of Ministers.

It cannot be doubted that the experiment of Group Government in the Province was one that damaged the Liberal Party, since the Farmers' Party drew off many of the political theorists and students of political affairs whose adhesion is normally to the Liberal philosophy. The public mind was confused as between Progressives and Liberals. In the election of 1926 the Government was attacked ineffectively by a divided force, which, when all is said, had no differences in policy.

One may wonder whether or not Mr. Sinclair should have met the Government offensive of 1926 on the question of "Government Control" by a definite declaration in favor of the Ontario Temperance Act. He lost a minority of his supporters, but at the same time secured the Independent Prohibitionist element, so it is probable that he made a numerical gain. On the other hand a pre-election pledge on a question so difficult may have been unduly bold. Should the Liberal Party come to office its policy on liquor law administration is already fixed, no matter what the experience of 1927 to 1930 may reveal.

It is questionable if any Parliamentary Opposition makes any real political progress by formulating a complete and definite programme. The Federal Liberal Platform of 1893 was drafted by a National Convention, heedless of the difficulties of administration, and while it afforded excellent material for Liberal speakers on the hustings, a time came when its aid and comfort were chiefly for the Conservatives. Sir Wilfrid Laurier's Government which took office in 1896 may have had faith in each of the principles enunciated by the Convention, but in many instances the scientific theory could not be applied in practice, without endangering the safety of the Party. The theory of Free Trade, approved in 1893, had to be set aside while the Fielding Tariff of 1896 was being written.

It is the duty of Governments to establish policies and to administer them. The task of an Opposition is completely performed by steady, relentless examination and exposure of the inconsistencies and weaknesses which must be found in every public policy, and by a continuous, unfriendly audit of the expenditure of public money. These duties have been performed well by Mr. Sinclair and his associates. The Liberal Party in the Legislature while by no means flushed by political success has no reason to be downcast over its record as an opposition or concerned about its reputation in the country.

## CHAPTER III.

### AGRICULTURE IN ONTARIO

Major E. B. Littlehales, military secretary to Lieutenant-Governor Simcoe, wrote a letter on April 25th, 1793, from Navy Hall, the Governor's residence at Niagara: "Sir, His Excellency Colonel Simcoe directs me to acquaint you, that as Patron of the Agricultural Society, during his continuation as Governor of the Province, he means to subscribe ten Guineas annually to be disposed of in a premium for the benefit of agriculture, in whatever manner the members think proper. He desires the Society's acceptance of a set of books entitled 'Yonge on Agriculture'." The letter was addressed to "The Secretary of the Agricultural Society of Upper Canada."

The interest of the English gentry in the improvement of farming methods had been continuous for many years, but had been stimulated throughout the reign of George III. by His Majesty's personal enthusiasm. At the beginning of his reign there had been an inquiry into the state of agriculture which had been disquieting to all patriots; so much land lay waste for lack of drainage. In 1786 Thomas Jefferson wrote to a friend in America: "I returned to France three or four days ago, after a two months' trip to England. I traversed that country much; and own, both town and country fell short of my expectations. Comparing it with this I found a greater proportion of barrens." In 1794 the county of Cambridge had 112,500 acres—about one-fifth of its entire area—in fens, commons and sheep-walks. In 1806 63,000 acres of the waste had been enclosed and cultivated. About the same time plans were under way for the draining of the great Lincolnshire fens, and the King himself had established two large farms in Windsor Park in which he had a lively interest. He even wrote articles for Yonge's "Annals of Agriculture" (above mentioned) under the name of "Ralph Robinson," and delighted in the knowledge that people were beginning to call him "Farmer George." It was only natural that His Majesty's pro-consuls in remote parts of the Empire should encourage any movement tending towards agricultural improvement. Even the politicians at home from the time of Edmund Burke and the Duke of Bedford were inclined to the study of greater food production as a national requirement of the time. The imminence of war turns the eyes of every wise man to the farm.

The settlement at Niagara was small; but already in this region peaches were growing and the fertility of the soil was obvious to the most careless observer. The immediate need for an Agricultural Society in this early period is not apparent, unless the Governor and those about him desired to show a good example to the settlers and at the same time transfer to this soil a commonplace institution of English rural life of the period. Almost

nothing is known of this first society—save that it received the Lieutenant-Governor's £10 annually and held a Fair at Queenston in 1799. (*) Probably Fairs were held before this. There was a Gardeners' Club at York in 1800.

During the career of Napoleon Bonaparte British trade with Russia was disorganized and at times almost ceased. Therefore the King's ministers were anxious to find new sources of hemp for manufacture into cordage for the Navy. The Governors in Canada recommended hemp-culture to the settlers, but despite the interest and practical aid of officials and merchants the results were not encouraging. Hemp grew lustily on the virgin soil of Upper Canada but convenient local markets were not established; moreover the preparation of the crop for rope-making demanded a good deal of labour under experienced supervision, and both were lacking. Before the War of 1812-1814 Mr. Justice Thorpe had organized a society to encourage the growing of hemp, but his Association was dubbed a Jacobin Club; the friends of Lieutenant-Governor Gore would not allow any merit in the actions of this tempestuous jurist.

It is said that by 1825 Agricultural Societies had been established in the Home, Newcastle and Midland districts. The County of Northumberland Agricultural Society held its first Fair on October 19th, 1828, in the public square of the village of Colborne. Fourteen prizes were awarded for live-stock, two for cheese, two for field rollers, and two for essays on the culture of wheat; the total outlay being $77. The first prize essay was printed. (†)

In 1831 Robert Arnold, of St. Catharines, imported a Shorthorn bull and one cow from the United States. In 1833 Rowland Wingfield, an Englishman settled near Guelph, bought a small herd of choice cattle from England. They were landed at Montreal, were taken by way of the Ottawa River, the Rideau Canal and Lake Ontario to Hamilton, and were then driven to Wellington County. Hon. Adam Fergusson, of Woodhill, followed two or three years later with a similar importation. Ayrshire cattle appeared in the Eastern part of the province. Scottish immigrants frequently would bring a milch cow on board ship to provide them with milk on the long voyage and would sell her on arriving at Montreal.

The first reaping machine was the invention of Rev. Patrick Bell, who had been in Canada as a young man, serving as tutor in a well-to-do family in Wellington County. After his return to the Old Country he presented his machine in 1826 before the Highland Agricultural Society of Scotland. It was practical, and could reap twelve acres in a day. The first American reaping machines appeared in 1834, the inventors being Obed Hussey and Cyrus H. McCormick, and some of these reapers soon found their way to Upper Canada.

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*From "The Canada Constellation," Niagara, November 8th, 1799: "The annual Fair of Queenston, as established by proclamation will be held on Saturday, the ninth day of November, in the present year. A park is provided, free of expense, for the show of horses, cattle, sheep and hogs." No mention was made of the Fair in the issue of November 15th, but in those days "local" news was of least importance to the Editor.

†C. C. James in "Canada and Its Provinces," Vol. XVIII., p. 560.

In 1830 Parliament passed an Act to encourage the establishment of Agricultural Societies in the several districts of the Province. It provided that when any such Society had accumulated £50 in subscriptions of members, it would be lawful for the Governor to issue his warrant in favour of such Society for the sum of £100. This law was to continue in force for four years. The time was extended one year by an Act of 1835 but with an amendment that no money should be paid to any Society from the Public Funds until previous grants had been accounted for, and until the Society should show that it had complied with the requirements of the law.

In 1837 there was a new arrangement. A society raising £25 qualified for a Government grant of double the amount, under certain conditions. In 1845, three times the amount of the subscription was fixed as the rate of the grant—provided that it should not exceed £250 in any case. By this Act of 1845 the Secretary of each Agricultural Society was required to send to the Legislature a detailed annual report of the proceedings and expenditure.

Delegates from many of the Agricultural Societies in the townships and counties attended a convention in Toronto during July, 1846, and formed the Provincial Agricultural Association and Board of Agriculture for Canada West. At a subsequent meeting in Hamilton held on August 17th E. W. Thomson was elected President; John Wetenhall and Sheriff Henry Ruttan, Vice-Presidents; and W. G. Edmundson, Secretary-Treasurer. It was decided that "the first meeting or Fair" should be held in Toronto on the third Wednesday in October and the arrangements were placed in the hands of the Mayor of Toronto (W. H. Boulton), the President, Vice-Presidents and Secretary of the Association, Hon. Adam Fergusson, Sheriff Jarvis, Col. Burrowes, Franklin Jackes, W. Thompson, J. B. Ewart and David Smart. The prizes offered for this first Provincial Fair amounted to £220 5s. money and about £66 7s. 6d. in books, no inconsiderable amount in all. The prize books were *The Farmers' Encyclopaedia,* Louden's *Encyclopaedia,* Howitt's *Rural Life of England,* Downing's *Landscape Gardening,* Howitt on *The Horse, The American Orchardist,* and other works of the sort. The exhibition was the theme of universal interest. The attendance was large, and the show excellent. Said *The Cultivator* of November, 1846: "The competition on the whole might be considered both spirited and creditable; and although the articles exhibited under each class were not so numerous as would have been the case had more time been given the public in preparing for the show, still it is satisfactory to state that almost every article entered for competition was highly creditable, and very many would compare favourably with the best of their kind found in any portion of Europe or America. The show of thoroughbred Durham cattle exceeded the expectations of every man who visited the grounds. Mr. Howitt's stock of Guelph was admired by all and was eagerly bought up by gentlemen from various districts of the Province. A three-year-old heifer owned by Mr. H. was purchased by John A. Walton of Peterborough

for £57, 10s., and a two-year-old for £45. The products of the orchard were unquestionably superior, and reflected much credit on the gardeners and amateurs who entered their articles for competition in this class. The apples were of the most approved varieties and were so decidedly superior of their kind that all good judges of fruit considered this the most interesting department of the show." *The Cultivator* also mentioned with approval the Dairy Products, the Vegetables, and the Woollen Goods, some manufactured in the township of Vaughan by John Gamble, and some by John Gibson in St. Catharines. The sale of admission tickets to the show brought £69 13s. 1½d. Donations from twenty-four life members of £2 10s. each, the fees of 297 annual members and a gift of £50 from the Canada Company added to the revenue, and grants were received from the local Agricultural Associations of London, Durham, Victoria, the Home District, Prince Edward, Colborne, Gananoque and Northumberland. The total receipts were £482, 6s. 10½d. and the Association carried forward to the next year a balance of £102 1s.

The Association was incorporated by Act of Parliament on July 28th, 1847. The preamble of the Act declared that certain persons had formed themselves into a society with the object of more effectually improving the condition of Agriculture, Horticulture and the Household Arts. These persons were named as follows: Hon. A. Fergusson, Hon. W. B. Robinson, Hon. H. J. Boulton, Hon. R. Baldwin, Hon. J. A. E. Irving, Frederick Widder, E. W. Thomson, W. B. Jarvis, Henry Ruttan, W. H. Boulton, J. W. Gamble, W. E. Edmundson, W. A. Baldwin, Skeffington Connor, Joseph C. Morrison, J. H. Price, Francis Boyd, J. M. Strachan, Joseph Beckett, Chas. E. Small, Clarke Gamble, James Buchanan, J. G. Worts, John Sanderson, Malcolm Cameron, Donald Bethune, W. P. Howland, Benjamin Thorne, Wm. Hume Blake and Robert Cooper. Most of these were eminent citizens of Toronto, but they were empowered to add to their numbers all persons subscribing annually to the funds of the Association five shillings and upwards. Subscribers of £2 10s. and upwards were to be reckoned as life-members. The Directorate was to be composed of two delegates from each district of Upper Canada, to be appointed by the District Agricultural Societies and the funds aside from subscriptions were to consist of "fees collected at the Agricultural Show" and Government grants.

The second Exhibition was held at Hamilton on October 6th and 7th, 1847, "on the race course one mile from the town." The weather was unfavourable, but the presence of Lord Elgin, and the general interest in the Fair brought success. The receipts at the gate were £109, and the total revenue was £670 16s. In 1848 the show was held at Cobourg, the revenue for the year being £1,055 16s. 5½d., about half of which was disbursed in prizes. In 1849 Kingston was favoured. At the annual dinner the President's address was delivered by Sheriff Henry Ruttan. It contained some paragraphs that are worthy of remembrance.

I am myself one of the eldest born of this country, after its settlement by the Loyalists, and well remember the time when, as Bishop Berkeley observes, a man might be the owner of ten thousand acres of land in America and want sufficient means to buy himself a breakfast. One half of the land on the Bay of Quinté, the garden of Canada, could within my remembrance have been purchased for £5 a two-hundred acre lot. In the month of February in the scarce year (about 1790 if I am not mistaken) a near relative of mine sent all the way to Albany in the State of New York, a distance of more than 200 miles, for four bushels of Indian corn. And this was brought all that distance by two men on snowshoes. It took them about eight weeks to accomplish this journey, and during this time about one-third of the quantity was necessarily consumed by the men: the residue of this precious cargo—pounded up in a mortar made of a maple stump, with the wintergreen berry and mucilaginous roots, latterly boiled with a little milk—constituted the principal food for two families, consisting of seven souls, for the space of four or five months. It was remarked, I have heard some of the oldest of the settlers assert, that the usual supply of fish even had failed. The few cattle and horses which the settlers at great cost and trouble had collected were killed for food. The faithful dog was in several instances sacrificed. Several persons died of starvation. Here was a state which one would think might have driven the remnant of the settlers to seek an asylum among their enemies. This they might have done in the following year. Did they do so? No! These exiles—these emaciated and worn out Loyalists—preferred death to fraternization with rebels to their King. Loyalty with our forefathers consisted of something more than a name.

There were 1,429 entries at the Kingston exhibition and the prize list amounted to about £700. In 1850 Niagara had the Fair, the site being "between the town and the steamboat landing." The wheat which won the Canada Company's prize was grown by David Christie of Dumfries and weighed 66 pounds to the bushel. The second prize went to Isaac Anderson, of Flamborough. About 14,000 persons saw the show.

Brockville provided a site for the Exhibition of 1851 "on the elevated ground near the English Church," the property of C. E. Jones. A contemporary report says: "The Floral Hall formed the greatest point of attraction and was well worthy of the attention which was bestowed upon it."

In 1850 a Board of Agriculture consisting of ten members was set up by law. The Inspector-General of the Province and the Professor of Agriculture in the University of Toronto were to be ex-officio members. The others were to be named by the Directors of the Agricultural Society. The duty of the Board was to examine into and collect information upon such questions as concerned the agricultural interests of the Province and to take such means as they might think best to promote those interests.

Further legislation of the same general tenor was passed in 1851 and 1852. The first Annual Report of the Upper Canada Board of Agriculture was presented to Parliament in 1852. A few extracts follow: "The Board have given their earnest and best attention to the important object defined by the statute under which they were appointed: That it shall be the duty of the said Board to prepare as soon as practicable and present to the Legislature a plan for establishing an Experimental or Illustrative Farm in

connection with the Chair of Agriculture in the University of Toronto, or in connection with the Normal School, or otherwise as they may deem best. The Senate of the University of Toronto in a statute establishing a Chair of Agriculture in that seat of learning have provided for grounds for an Experimental Farm which it is proposed shall be placed under the control of and supported by the Board of Agriculture. The University statute provides that not less than fifty acres of the Park ground shall be granted the Board free of charge for a term of ten years, and if at the termination of that period it should be deemed expedient to dissolve the connection the University engages to take all buildings erected by the Board of brick or stone at a price to be determined by valuation. Soon after the appointment last spring (1851) of the Secretary of the Board (Prof. Geo. Buckland) to the Chair of Agriculture it was deemed expedient, as the University grounds were about to be put under a course of improvement, that the Board should take some introductory steps for securing and bringing into a proper state of cultivation that portion which had been assigned for the purposes of Experimental Agriculture, in connection with scientific united with practical teaching in the University by the newly-appointed Professor. About 25 acres have accordingly been brought into cultivation and the Board are of opinion that the grounds are very suitable for the purposes of agricultural education and the testing of new and improved varieties of plants. The Board are desirous that these fifty or sixty acres for experimental and illustrative purposes should not be mistaken for a Model Farm, which should consist of a larger area and which would consequently involve a much greater outlay and risk. Whether Model Farms, strictly so called, are adapted to the present wants of this young country, fairly admits of a question." A grant of £500 was requested to put this policy into effect. George Buckland came to Canada from England in 1847 and settled in a cottage near the main entrance of the present Toronto General Hospital. He superintended the planting of chestnut and other trees on University Avenue and on the University grounds. After his appointment to the University staff he superintended the Experimental Farm lying between the Main Building and Bloor Street; he lived in a house not far from the present stadium. He had a horse, a cow, some pigs and poultry, and a steady succession of fruits through the season. It is said that on one occasion a group of lively students took the cow up the old belfry stairs and tied her to the bell rope.

Parliament determined in 1852 that the time had come to establish a Bureau of Agriculture in connection with one of the Public Departments so that "useful facts and statistics relating to the agricultural interests of the Province could be disseminated or published." The organization of County Agricultural Societies and the holding of Fall Fairs was encouraged. After the establishment of the Chair of Agriculture preparations were made for the organization of a Veterinary School in Toronto. In 1862 Professor Andrew Smith arrived from Edinburgh and was named as Director of the infant institution.

At the annual meeting of the Provincial Agricultural Association following the Brockville Fair an Essay by William Hutton of Belleville was read. It was entitled "Agriculture and Its Advantages as a Pursuit," and had won the gold medal in a competition inaugurated by the Johnstown District Agricultural Society. It dealt with Rotation of Crops, Ploughing, Draining, Manures, and Cattle, and was a most worthy piece of literary work. Indeed the record of the activities of the Provincial and local Societies during the period anterior to the appointment of the first Minister of Agriculture in 1852 (Hon. Malcolm Cameron) shows as fine a bit of voluntary co-operation for a patriotic object as the story of the Province can show. In that year the Fair was held again in Toronto; over 30,000 people attended in four days, and the prize money exceeded £1,200. In 1853 Hamilton had the Exhibition, in 1854, London.

The first official Government Report on Agriculture following the organization of a Bureau and the appointment of a Minister consisted of a record of the activities of the Upper Canada Board of Agriculture and its financial statement for 1851 and 1852. The receipts were £2,127, 15s., 1d., of which £1,000 was a Government grant; the expenditures were £1,952, 1s., 5½d. Thus from year to year the Board of Agriculture continued its work. On the eve of Confederation, the Minister reported sixty-three County or Electoral Division Societies and 236 Township or Branch Societies. The total amount contributed in subscriptions by the members, previous to the application for the Government grant, was $32,023. The public grant received by the Societies was in the aggregate $50,946.74. The Minister in submitting this Report said that the service needed revision and extension. "Our agricultural laws are by universal admission very defective; the Department itself has at no previous period since its organization had the benefit of the presence of a skilled agriculturist, as one of its own officers, to be head clerk of that important section of the Department. The Board of Agriculture and the Societies have not been without their inconveniences arising out of defects in the law and the administrative system. I cannot but express my satisfaction that under the proposed plan of colonial union the subject of agriculture should be made one of concurrent jurisdiction. Whatever may be thought of such divided jurisdictions in general, it is certain that the settlement of a new country, the introduction of the best methods of cultivation, the improvement of its live stock and the scientific increase of its powers of production are matters both of local and general interest, calling for combined local and general superintendence. In each of the other provinces local societies and governmental agricultural offices exist; and the larger and longer experience of Canada in administering this service as one of the Public Departments may not be without advantage to the United Provinces." The Minister reported that Canadian exhibits had taken a high place at the Dublin Exhibition of 1865 in the number of medals and "honourable mentions" received. They were respectively 24 and 25. The Board of Agriculture of Upper Canada had won one of the medals for a display of the produce of the Province.

He added: "The possibility of establishing vineyards and manufacturing good ordinary wine from the grapes of such vineyards seems now to be demonstrated beyond question. The Vine Growers' Association have at present under the skilful superintendence of Mr. de Courtenay, the large vineyards of Clairhouse in full operation at Cooksville, County of Peel. From their vintage comparatively large quantities of wine have been manufactured. The preparation of *vin congélé* has also been tried at Clairhouse by Mr. de Courtenay with success."

The Provincial Department of Agriculture was organized in 1867 and 1868 by Hon. John Carling on a basis that can not be considered as extravagant. The Public Accounts show the following employes: Hon. John Carling, Commissioner of Public Works and Agriculture at $3,200 per year; Kivas Tully, Architect and Engineer, at $1,600 per year; W. Edwards, Secretary of Public Works, at $1,000 per year; Geo. Buckland, Secretary of Agriculture, at $800 per year; F. T. Jones, Accountant, at $800 per year; John Balkwill, messenger, at $365 per year; W. Jenkinson, messenger, at $365 per year.

Office expenditure, travelling expenses, and advertising amounted to $1,453.51. The grants of public money included $700 to each of 73 Electoral Division Agricultural Societies, of $550 to one, and of $350 to each of seven. The Fruit Growers' Association received $350, the Agricultural Association, $10,000—a total outlay of $64,244.00. This, added to the office expenditure, made a grand total of $72,827.51. The present annual outlay for agriculture alone exceeds $1,300,000.

The Government of Upper Canada as appears above did not organize a Department of Agriculture of its own motion. It was stimulated to action by the ardour and the activity of private individuals, many of them being urban residents. Lawyers and business men gave leadership during a period of fully twenty-five years, suggested the organization of Agricultural Societies, and doubtless had a part in defining the early policy of the Administration. That policy was to encourage the holding of Fall Fairs by giving government grants, but a grant was never available until the society had a considerable number of members and could show a healthy bank balance in members' fees.

Even after the Bureau of Agriculture was established with a Minister in charge, the volunteer Board of Agriculture was still the thinking organism. It devised the plan of co-operation with the University for the setting up of a small model farm and inspired the necessary legislation. This condition continued until after Confederation. The Provincial Commissioner of Agriculture, Hon. John Carling, indicated in one of his earliest reports that he had been criticized for bringing agriculture into the realm of politics, which doubtless indicates that he was disposed to define his own policies as well as to pay Government grants. The financial management of the Board of Agriculture had got into a muddle and the University

model farm was not particularly successful. Moreover Hon. Mr. Carling was by no means sure that the multiplication of Fall Fairs was always desirable. The differences with the Board of Agriculture brought about a condition which favoured the establishment of complete Governmental control. Following this, the organization of the Ontario Agricultural College on a thoroughly modern and practical basis was made possible.

At the first Session of the Ontario Legislature an Act was passed setting up in place of the Board of Agriculture an Agricultural Association, to be composed of all subscribers of one dollar annually, the Presidents and Vice-Presidents of all lawfully organized County Agricultural Societies, Horticultural Societies and Mechanics' Institutes. The Council of the Association was to be composed of twelve members elected by the Societies within twelve specific districts, the Commissioner of Agriculture, all Professors of Agriculture in Chartered Colleges and Universities, the Chief Superintendent of Education, the President of the Fruit Growers' Association, and the President of the Association of Mechanics' Institutes. Four members of the Board were to retire annually.

The duties of the Council as set forth in the Statute were to hold an Annual Exhibition open to competitors from any part of the Dominion of Canada or from other countries, to procure and set in operation with the approval of the Commissioner model or experimental farms, in connection with any Public School, College or University, or otherwise; to obtain from other countries improved breeds of animals, new varieties of grain, seeds, etc., new or improved implements of husbandry, and to test them; to establish a Veterinary School. Provision was made also for the establishment of horticultural societies, and Fruit Growers' Associations; and the range of the County and Township Agricultural Societies was bounded. The Government grants were to be continued, with the proviso that the amount to be given to any Electoral Division Society should not exceed $700.

Hon. John Carling's first report to the Legislature in 1870 was a complete record of the work of the various Agricultural Societies in counties and townships, for the year 1869, a document exceeding 200 octavo pages. In commenting upon these returns he said:

> There is evidently an increasing desire for the union of two or more Societies for the purpose of getting up a respectable and useful exhibition. We cannot, probably, have too many Societies; one even in every township may do a good work, but certainly there has been a tendency to have too many shows. Valuable and even essential in some circumstances as these may be, they are not, as some would seem to think, everything. Our agricultural organizations should aim at becoming in no restricted sense "Mutual Improvement Societies" by diffusing popular and useful knowledge on the subjects they embrace, by holding meetings for discussing them, by making experiments and carefully recording their results, and by circulating among their members agriculture papers and books of which happily there is in the present day no lack of supply. Another noticeable feature in some of the reports is that shows are dispensed with for one or more years in order to

accumulate funds for improving live stock and of introducing for purposes of trial new and improved varieties of seeds. This, too, is a move in the right direction. Small shows, restricted to the limits of a single township are frequently of but little worth, while the introduction of superior stock and improved varieties of seeds cannot fail of producing great and permanent improvements. In making these remarks I am desirous of guarding myself against being misunderstood. I am by no means inimical to exhibitions but believe they have done good service in the cause of Agriculture.

With the Report appeared as an appendix the Minutes of the Fruit Growers' Association, which met at London on Sept. 22nd, 1869, and appointed the following officers: President, Rev. R. Burnet, M.A., Hamilton; Vice-President, J. C. Rykert, M.P.P., St. Catharines; Secretary-Treasurer, D. W. Beadle, St. Catharines. The Directors elected were W. H. Mills, Hamilton; Geo. Leslie, jr., Toronto; R. N. Ball, Niagara; A. B. Bennett, Brantford; A. Morse, Smithville; James Dougall, Windsor; William Saunders, London; Rev. Aaron Slyatt, Waterford, and A. P. Farrall, Cayuga. This was the tenth annual meeting. The Society was organized on January 19th, 1859, at Hamilton, when Judge Campbell was elected President, Dr. Hurlbert as first Vice-President, and Arthur Harvey as Secretary.

The discussions at this meeting, and at the meeting of 1868, which are also reported, are peculiarly interesting to a modern fruit grower who has learned the uses of spraying. One member after another complained of scabby fruit, dry rot, or other faults and there seemed to be no knowledge of microscopic insect or fungoid life. The general opinion with respect to the curculio in plums was that by regular jarring of the trees all the affected fruit could be shaken off and gathered on a sheet below. Then if the fallen fruit were burned, little more trouble would be found. The Association recommended for general cultivation twenty-six varieties of apples, and twenty-three of pears, withholding judgment on thirty-six and twenty-eight other varieties respectively. At the meeting in Galt on July 6th, 1869, a study of small fruits was made, and the report of a general survey of the possibilities of fruit growing throughout the Province was submitted. The Association offered prizes for new varieties of apples, for essays on the cultivation of small fruits, and for the best collection of injurious insects in their various stages of development. Twenty dollars was offered to any person sending two thousand specimens of the plum curculio, to Wm. Saunders, the naturalist, of London.

In answer to a circular letter sent out by the Minister reports on the state of the principal crops for the year 1869 were received from all parts of the Province. They showed average yields per acre to be as follows: Fall wheat, 21¾ bushels; spring wheat, 19¼ bushels; oats, 39 bushels; rye, 18 bushels; barley, 30½ bushels; peas, 22¼ bushels. The highest average of fall wheat per acre was 30 bushels, reported from Dundas County; of spring wheat 30 bushels, reported from Algoma and West Hastings; of oats 60 bushels, reported from Lambton.

The Report of 1870-71 contained a scientific, illustrated study of the

noxious insects affecting the apple, the grape and the plum. This was prepared for the Agricultural and Fruit Growers' Associations on behalf of the Entomological Society of Canada by Rev. C. J. S. Bethune, M.A., of Trinity College School, Port Hope; William Saunders and Edmund Baynes Reed. This was the beginning of a most useful activity of government.

Rev. W. F. Clarke, of Guelph, the Editor of *The Canada Farmer,* was commissioned in 1870 by Hon. Mr. Carling to visit the leading Agricultural Colleges of the United States, observe the curriculum in each, and ascertain by what methods it aimed to promote the farming interest. On his return he was to submit an economical and practical scheme for the establishment of an Agricultural College in Ontario. Mr. Clarke's findings are found in the Sessional Papers of 1870-71 as an appendix to the Report of the Minister. He described in some detail the Massachusetts and Michigan Colleges, established respectively in 1867 and 1855, and was enthusiastic with respect to the Michigan institution. The latter part of the Report, since it contains the first definite outline for a system of Agricultural Education in Ontario, is reproduced in full:

I find remarkable unanimity of opinion among leading agriculturists of the world as to the importance of special training for the business of farming, and the duty of the State to promote the means of training of its young men. I find also a very decided preponderance of opinion that such training to be thoroughly efficient must be provided by the establishment of Agricultural Colleges, distinct from colleges and universities of a general literary and scientific character. I do not know of an instance in which a Chair of Agriculture connected with a general institution of learning has been successful in drawing around it any large body of students, or exerting any appreciable influence upon the agricultural interests of the community or country. As with the Professorship of Agriculture in our own Provincial University, though filled by one of the ablest agriculturists of the age, the one word *failure* gives the history of all such arrangements. Agriculture is overshadowed by other studies; farming elbowed out by other professions; agricultural students feel themselves of an inferior grade to those who are studying for the legal, medical or clerical professions; and operated on by a variety of unfavourable influences the agricultural class in a general College or University is invariably a dwindling and unsuccessful affair. It would seem as a matter of theory, that a school of agriculture affiliated with our noble Provincial University and profiting by its existing facilities for pursuing such studies as, though pertaining to a general literary course, are also cognate and necessary to an agricultural course, ought to prosper and be widely useful, but stubborn facts refuse to sustain the theory. They prove beyond successful dispute that to teach agriculture effectively there must be a separate College for the purpose, with a model or an experimental farm attached, where the students can be taught practice as well as principles, and where without sacrifice of respectability or loss of caste, they can doff the gown and trencher, put on the smock-frock and handle the dung-fork or the hoe, in the actual manipulation of farm-work. This is just as needful in a process of agricultural training as it is that medical students should have hospital practice, or that students of law and divinity should have exercise in elocution and public speaking. I would therefore very strongly urge that if anything be attempted in the way of an Agricultural

College for Ontario, as I fervently trust there will be, no design be entertained to connect it in any way with the University of Toronto or any other existing institution of learning, or indeed to locate it in Toronto or any other leading city of the Province, but that choice be made of some country town of sufficient size to furnish society, market, and business facilities; that the place chosen be the centre of some such wealthy agricultural region as there is no lack of in our magnificent Province; there it can exert an influence peculiarly its own. . . . An economical scheme cannot, I fear, be outlined for such an institution if by "economical" I am to understand that its cost is to be small. It would no doubt be possible to start a so-called agricultural school at a very trifling outlay, but no great success could be augured for a cheap and easy affair. To do anything in the line of an Agricultural College worthy our noble Province would require a grant of at least Fifty Thousand Dollars for the purchase of a farm, and the erection of buildings; and an appropriation of at least Ten Thousand Dollars per annum. That this outlay wisely expended would be one of the best investments Ontario could make, I do not for a moment doubt; neither do I doubt that averse as farmers in general are to increased taxation, there would be any difficulty in obtaining a very decided vote for such an outlay from them, were the nature and advantages of the undertaking thoroughly set before them. In regard to a "practical" scheme, I would say, that, without servile copying, an approximation to the Michigan Agricultural College would, I believe, best meet the wants of this Province, and I would urge in the strongest manner, that the wise example of the Legislature of that State in making manual labour an organic law of the College, be imitated by our own Legislature in any measure that may be passed for the establishment of such an institution for the benefit of our own country.

Hon. A. McKellar took over the Department in December, 1871, following the resignation of the Sandfield Macdonald Ministry. The report for that year was signed by the Secretary of the Bureau of Agriculture and Arts, Professor Geo. Buckland. In the course of a general survey of farming conditions, Professor Buckland noted the appearance in the Western Peninsula during 1870 of the Colorado beetle, known more commonly as the "potato bug." Mr. Saunders and Mr. Reed, of the Entomological Society, were deputed to study the habits of the beetle and discover the best means of dealing with it. They reported that Paris Green was an effectual remedy, and the Commissioner made arrangements with a Toronto firm of importers to secure an ample supply of the poison. The Report continues:

During the last session of the Legislature a proposal was made to establish in this Province a School of Agriculture in connection with an illustrative or experimental farm, and a liberal grant of money was voted for the purpose of purchasing the requisite amount of land and for the creation of school buildings. It was deemed desirable that the institution should be located within a convenient distance of the Capital of Ontario, and near to a railway station, in order to afford easy access to pupils and the public and to be as much as possible under the observation of the Commissioner of Agriculture and others officially connected with, and interested in its promotion. Accordingly advertisements were issued asking for tenders for suitable land within ten miles of Toronto, situate near a railway station; and twenty-two offers were received from various localities. . . At last a decision was reached and a purchase made, of 600 acres of land in a block,

close to the Mimico Station on the Great Western Railway and only seven miles from Toronto. Tenders have also been accepted for the erection of the necessary school buildings for the accommodation of 100 resident pupils, to be ready for occupation in the Spring of 1873. The land comprises the necessary varieties of soil for illustrative and experimental purposes; from heavy clay, graduating through loams of varying composition to a light sand. A portion of the farm being in a weedy and exhausted condition, resembling in these respects a too large area of the older settled lands of the Province, will afford opportunities for much needed experiments. . . . Most of the land would be greatly benefitted by draining.

These faults and the objections of Rev. W. F. Clarke, of Guelph, induced the Commissioner to consider the securing of a more favourable site. Whether or not the Opposition in the Legislature was correct in its assumption that considerations of political patronage were also in mind is a matter of no great moment. The fact remains that on February 21st, 1872, Hon. Mr. McKellar wrote to the Council of the Agricultural and Arts Association requesting that body to examine the Mimico site, the adaptability of the soil, the sources of its water supply and its advantages or otherwise for experimental purposes. The report of the Council, signed by Stephen White, as President, was in no sense equivocal. Mimico, clearly was not the place. Apparently the Council had its mind already made up, for this report was sent to the Minister within two days of the receipt of his letter. Mr. McKellar then requested the Council to report on certain properties in the neighbourhood of Guelph. A speedy answer was received, dated February 26th. "The Council next visited the farm of F. W. Stone, Esq., which is situated on the South side of Guelph, and is intersected by the road leading from Guelph to Hamilton. The northern boundary of the farm which contains five hundred and fifty acres, is about one mile from the town. The formation is limestone and the soil is good. The surface is undulatory, the proportion of upland being about three hundred and fifty acres, and the valley-land comprising about two hundred acres of rich land resting on a sub-soil of clay. The tract is well watered, having three streams running across it. . . . The Council consider this farm an eligible place for the Agricultural College and Experimental Farm. Appended is Mr. Stone's offer to sell the farm for $70,000, which is open until the 25th of March."

The land was bought, buildings were erected and the College was opened on May 1st, 1874, thirty-one students being in attendance.

T. H. Mason, of the Dominion Department of Agriculture, was one of the first class. He was reported in *The Globe* of May 3rd, 1924, on the occasion of the Jubilee of the College as follows:

"I arrived at the school at noon, just in time for the first meal served in the old dining-hall—corned beef (very salty), potatoes, bread and water—no more, no less. Aside altogether from the natural interest and excitement attending a first day at college for any normal young man, that first meal was enough to fix the occasion firmly in one's memory! Luckily, it was the worst as well as the first, or few of us would have finished the course."

"The staff of the O. S. A. 50 years ago consisted of the Principal, Henry McCandless, an Irishman, who had been somewhat prominent in Irish agriculture and had filled the Chair of Agriculture at Cornell University; the rector, Mr. Clarke; Dr. Baptie, lecturer in Chemistry and Physiology, afterwards Science Master in Ottawa Normal School and Coroner of Ottawa; James McNair, Farm Superintendent, a good practical farmer; James Stirton, Live Stock Superintendent, who later went to Manitoba; James McIntosh, Mechanical Superintendent; Thomas Farnham, gardener, who stayed only a few months and was succeeded by James Barron. The latter was a good gardener, but kept far too close a watch on his fruit," commented Mr. Mason, with a twinkle in his eye. "Later we had lectures in Veterinary Science from Dr. E. A. A. Grange, in Agriculture from Professor Buckland, and in Horticulture from Mr. Burnett. Rev. Mr. Clarke, who was supposed to minister to our spiritual needs and to lecture on Horticulture as well, evidently found neither task to his liking, as he resigned within a few weeks. The first class consisted of 34 students, an exceptionally fine lot of men physically, and quite up to the average mentally."

The first year of the Ontario School of Agriculture was one of turmoil. Some good work was accomplished during the first few weeks, but soon decided differences of opinion began to develop between the Principal and the staff. "Mr. McCandless was autocratic, reserved, and had rather an unfortunate manner," remarked Mr. Mason. "The staff, Canadians of the old pioneer stamp, resented his aloofness, and probably considered themselves better men than he. Both sides sought to enlist the support of the students, and made all sorts of ridiculous concessions. We became strong for committees and deputations; the Soviets had nothing on us. When haying began we came to the conclusion that we needed more food to repair the waste caused by so much muscular exertion. Our spokesman assured the Principal that the hot, dry Canadian climate was much more exhausting than that of Ireland. The result was that we had a lunch sent out to the field in the morning, another in the afternoon, and for those who needed further fortification against the terrors of the Canadian climate there was another spread in the dining-hall at 9 o'clock in the evening. We sent round robins to Toronto, and deputations came up to hear our grievances. The local press took a hand, one paper insisting that we were angels immaculate, the other that we were fiends incarnate. People whose sense of humour is so limited that they view with alarm all the extravagances of the present younger generation should remember that their prototypes of half a century ago were quite as worried about the younger generation of that day—and yet we turned out not too badly after all.

"Finally Mr. McCandless resigned, and the age of anarchy came to an end," concluded Mr. Mason. "Colonel Scobie, Inspector of Penitentiaries, took charge pending the appointment of a principal. He instituted a pure autocracy and restored order. Within a few weeks the reins were taken over by William Johnston. He was a great worker, wise, tactful and a good disciplinarian. He placed the college on a firm basis in the face of great odds, and laid the foundation upon which his successors have built the present structure. He gave only a few years to the O.A.C., but they were years that told mightily. He did not live to see his work developed, but his memory and his influence will live in the lives of all his old boys as long as any survive."

The first Public Examination, or Commencement, was held on April 15th, 1875. J. Palmer was the Chief Prizeman, being closely pressed by

W. W. Bremner, G. G. Ware and Henry Wade. Professor Baptie, in giving details of the work done in Chemistry, said that he agreed with some of the detractors of the institution that certain of the boys were a nuisance. Palmer, Bremner and Mason had been a great nuisance to him, for he had been unable to decide at first which was the best man. Several speakers referred in a veiled manner to the political troubles which had hampered the early days of the College. Rev. W. F. Clarke summarized the situation in saying that the institution had had all the infantile ailments. It had gone through measles, whooping cough, croup and teething and now it was just beginning to walk.

The original organization of the College was based upon the report of a Farm Commission which reported to the Minister in 1874. It consisted of David Christie (as Chairman), George Brown, James Stead, John McCaul, George Buckland, James A. McLellan, Andrew Wilson and D. W. Beadle. This Commission recommended the division of the Farm into five Departments—Field, Horticultural, Live Stock, Poultry, Bird and Bee, and Mechanical; the last having to do with carpentering, blacksmithing, and so on. The nature of the building was outlined, and the range of the studies suggested, while in the opinion of the Commission, the administration should be in the hands of an Honorary Council of eight members with the Commissioner of Agriculture as President. In this, as in other activities connected with the Department, much stress was laid upon the co-operation of unofficial citizens with the Minister and the Government of the day. Such an Honorary Council was established, consisting of Hon. David Christie, Hon. George Brown, Hon. Archibald McKellar, Prof. Buckland, James Young, M.P.P., Delos W. Beadle and James Laidlaw.

Hon. S. C. Wood, the successor of Mr. McKellar as Commissioner of Agriculture, wrote in his Report of 1875: "The markedly increased interest manifested of late years in dairy husbandry in the Province is one of the most encouraging features of our Agriculture. From the Eighth Annual Report of the Dairymen's Association it is evident that this interest will soon occupy—if it does not already—a prominent position among the leading industries of the country, and constituting an important source of its wealth. The report contains a list of 174 cheese factories in Ontario in 1874. Some of these factories turn out a very large amount of cheese each season. Between exporting a first rate article of cheese or an inferior one will be found the realization of a handsome profit or the endurance of a heavy loss." The Dairymen's Association had already begun to hold Annual Cheese Fairs at Ingersoll and Brockville alternately. The first cheese factory had been established in Oxford County in 1863.

Philadelphia's Centennial Exhibition, the first of the American World's Fairs, and the most successful, wakened a good deal of interest in Canada. The Federal and Provincial Governments combined to provide a suitable Canadian Exhibit; of this, the Agricultural section was particularly worthy. Apples, pears, plums, grapes, peaches and small fruits were there in pro-

fusion. A Detroit newspaper correspondent in Philadelphia wrote: "Canada has commanded our respect and challenged our admiration in nearly all the departments of the Great Fair. The display is under the methodical arrangement of the Fruit-Growers' Association of the Province of Ontario." A medal was awarded to the Association for its fruit display, and many individuals were similarly honoured. D. W. Beadle, Secretary of the Association, made a Report to the Hon. Mr. Wood, in which he said:

> Our display has done much to enlighten the people of other lands and even very many of our neighbours over the border in regard to the true character of the productions of our Province. It has served to dissipate a very prevalent impression that we live in a cold, frozen, most inhospitable region of snow and ice; one where the tiller of the soil may hope during the short summer to be able to wrest from the ungenerous earth scarcely enough to maintain life during the long, dark, dreary winters, but where he may never hope to taste, much less to raise for exportation the luscious fruits of temperate climes. By your wise and liberal determination to make a display through the Fruit Growers' Association of Ontario, of the various fruits of the Province, you have done more to break down unfounded prejudices, and to disseminate throughout the world correct information with regard to the true nature of our climate and soil, and the excellence and beauty of its production, than could have been done by an army of Emigration Agents or by a whole circulating library of books of information on the climate and productions of Canada.

The stock-breeders were not less successful than the fruit growers. They exhibited sixty head of cattle and received fifty-three prizes; namely, two gold medals, twenty-five silver medals, and twenty-six bronze medals. Horses, sheep and swine were also of exceptional quality, and in general such Canadian animals as were sold at the exhibition brought prices far beyond the values set upon them by the owners. Eleven horses brought $8,450 although originally valued by the owners at only $4,450.

Although furious party warfare was being waged constantly about the Agricultural College, the institution refused to die, and within five years of its opening was in a healthy state. The Dominion Grange, a Society for the encouragement of better farming and better living, was a non-political Order. In 1879 it passed a resolution of appreciation, which, after a procession of whereases, read as follows: "We, the Dominion Grange, representing a large portion of the agricultural population of Ontario—the only portion thereof formally organized into a body—having placed Education as one of the foundation stones of our Order, desire again to express our high gratification at the establishment by the Province of the Ontario Agricultural College and Experimental Farm and our great pleasure at its continued progress; and we would respectfully suggest to the Government and Legislature, the propriety of speedily taking such steps as may place it, like all other Educational institutions, outside the pale of party conflict and obviate the loss of any other trained men." Principal William Johnston resigned in 1879 and was succeeded by Dr. James Mills, who held office until 1904.

In 1880 the College was incorporated by Act of the Legislature. In introducing the Bill, Hon. S. C. Wood said that the institution was no longer

an experiment; it ought to be put on a proper basis, so that the members of the staff could consider their positions permanent during good behaviour, and so that affiliation with the University of Toronto could be secured. The Leader of the Opposition was sorry to hear of the continual changes in the College, and regretted that no thorough explanation had been given of the causes leading to the resignation of Mr. Johnston. He thought that the teaching should be more practical. Mr. French, of South Grenville, voiced the opinion of many uninformed persons when he said that the College was an attempt to "play at farming," and that "it ought to be abolished." The staff at the time of incorporation consisted of William Johnston, M.A., President and Professor of Natural History, English and Mathematics; W. Brown, Professor of Agriculture and Farm Superintendent; J. H. Panton, M.A., Professor of Chemistry; W. Nattress, Assistant English Master; E. A. A. Grange, V.S., Professor of Veterinary Science and Practice; Peter Mahon, Instructor in Farm Department; John F. Barron, Instructor in Horticultural Department, and James McIntosh, Instructor in the Mechanical Department. The number of pupils had grown to 162.

Hon. S. C. Wood's régime is notable for a Survey which he organized to discover the state of Agriculture in the Province. The suggestion came in his Report for 1879 (presented to the House in 1880) which cited the score or so of cases in England and in the United States when valuable results had followed from such an enquiry. The members of the Commission as ultimately named on April 3rd, 1880, were the Hon. Mr. Wood, as Chairman, Thomas Ballantyne, J. B. Aylesworth, William Brown, John Watson, Thos. Stock, Andrew Wilson, John Dryden, William Saunders, Eli H. Hilborn, J. P. Wiser, Edward Byrne, John McMillan, William Whitelaw, Richard Gibson, Francis Malcolm, Edward Stock and Alfred H. Dymond. The inquiry was conducted both by questionnaires and by formal sittings in various parts of the Province; 155 witnesses were examined. The report is a volume of some six hundred pages, (with four volumes of appendices), admirably written in its general summary of the evidence, and giving a clear vision of the prosperous state of the Province. The Commissioners secured detailed information on Fruit Growing, the Cultivation of Grapes for wine manufacture, Forestry and Arboriculture, Insects, injurious and beneficial, Insectivorous Birds, Bee Farming, General Farming, Dairying, Horse Breeding, Poultry, Manures, natural and artificial.

In the year 1881 the Hon. Mr. Wood secured from Archibald Blue a valuable report on the importance of compiling accurate statistics on Agriculture. Mr. Blue suggested that the aim of a Statistical Bureau should be to secure correct figures on (1) the area of land in occupation—cleared, in woods, and marshy, or waste; (2) the acreage under the principal grain and root crops, grasses, and in pasture; (3) the acreage under orchard and garden, and the produce of fruit; (4) the condition and promise of the growing crops, and their produce when harvested; (5) the number of live stock by classes, and the wool and dairy products; (6) the capital invested

in real estate, live stock and farming implements; (7) the average market price of farm produce and the wages of farm and domestic labour; (8) the state of the weather. In consequence of Mr. Blue's recommendations a Bureau of Industries was set up in 1882 and its first Report was presented to the House in the following year. It showed that the average yield of grain per acre was larger in Ontario than in any one of eleven States of the Union where grains were an important crop. Fall wheat produced 26.3 bushels, as compared with 19.5 in Kansas; spring wheat, 16.5 bushels; barley, 28.6; oats, 36.4; rye, 18.8. A comparative table covering 31 years showed that the acreage cultivated in the Province had increased from 798,275 to 1,775,337 acres; the wheat crop had increased from 12,682,550 bushels to 40,921,201; barley from 625,452 bushels to 24,284,407; oats from 11,395,467 to 50,097,997; rye from 472,420 to 3,549,898; peas from 3,027,681 to 10,943,355; beans from 13,309 to 409,910; buckwheat from 679,635 to 1,247,943; and corn from 1,688,805 to 13,420,984; in all, nearly 144,000,000 bushels.

Mr. Blue complained of the misleading statistics of British and French publications with reference to agricultural production in Canada, and considered that the official correction of these errors by governmental authority would put Canada and Ontario in a better light before intending emigrants. He estimated the value of the grain crop at $94,235,379. The total value of farm lands in the Province was $632,342,500; of buildings, $132,712,575; of implements, $37,029,815; of live stock, $80,540,720—a total of $882,625,610 There were 23,619 thoroughbred cattle in the Province, of which 15,385 were Durhams.

Growth of the administrative work of the Department of Agriculture made it necessary to lift it from its secondary position as an appanage of the Treasury and organize it as an independent Department under a Minister. Premier Mowat introduced the necessary Bill at the Session of 1888. In the course of his speech he reviewed the work of the Commissioners who had served during his Premiership; Mr. McKellar had organized the Agricultural College, and had secured the passage of a useful measure respecting drainage. Mr. Wood had revised and consolidated the laws with respect to agriculture, had extended the operations of the College, had appointed the Agricultural Commission, and had procured a fund of $200,000 for drainage work. Mr. A. M. Ross had organized the Farmers' Institutes; sixty had been established within a short time, and the Premier considered them as of extraordinary value. The Dairy Department and the model creamery at the College were also due to Mr. Ross. The only objection raised to the Bill was that it compelled the enlargement of the Executive Council by one Minister, and necessitated an annual expenditure of $4,000 for his salary. However sound the criticism may have appeared at the time, it seems in our eyes trivial and petty.

Hon. Chas. Drury was the first Minister of Agriculture under the new

law. During his régime the Dairy School at Guelph was established and Professor Dean began a course of useful activity.

The results of long continued effort by the Dairymen's Associations and the School to improve the quality of Canadian cheese began to appear in 1893, when the products of Ontario factories made a remarkable record at the World's Columbian Exhibition in Chicago. In June 162 cheese were entered and 129 awards captured. Of these 31 were first prizes. In October 539 exhibits went to Chicago, and 489 prizes were received—127 being firsts. The publicity-work relating to Canada at Chicago was singularly effective. The big cheese which weighed seven thousand pounds and was borne in lonely state on a flat car, awakened the keenest interest wherever it appeared. Even "the Poet McIntyre," of Ingersoll, celebrated it in one of his inimitable "Dairy and Cheese Odes."

Hon. Mr. Drury's tenure of office was brief; at the General Election of 1890 the voters of East Simcoe sent another Member to the Legislature. The Minister's lack of personal strength in his own constituency did not warrant the Government in finding a seat for him, particularly since there had been a sharp division of opinion in the Liberal Party over Mr. Drury's appointment. Hon. John Dryden succeeded him in the office beginning in 1891 a term of service that lasted for thirteen years, and was of great value to the country. He was served admirably by Charles C. James, M.A., as Deputy Minister, one of the most eminent men in the Provincial service. Mr. James had been Professor of Chemistry at the Agricultural College from 1886, and while there had won a name for clearness of understanding, definiteness of speech, and extreme diligence. The possibilities of a closer application of scientific methods to Agriculture kindled his imagination. He accepted the office of Deputy Minister in June, 1891, succeeding Archibald Blue, and from that day until his too early death in 1916 he was a power in the land. The gospel he proclaimed is summarized in an address delivered by him before the Western Ontario Dairymen's Convention in 1893: "If Agriculture is to be a success in this country—if the young men are to make it a success, they must see to it that the field is plowed, that the grain is reaped, that the milk is produced, and the butter and cheese made, by mixing with their work a liberal allowance of brains. Agriculture demands of us that we shall have at the present time and in the future not simply what brains may possibly be left on the farms after the professions have been provided for, but the pick of the brains of the family, and that it shall have in this connection a fair chance with business and the professions. If the best brains now produced on our farms are trained to agriculture the future of the country can be safely left to our agriculturists who are principally responsible for its success." Here is another illustration of his manner of prophecy: "It always costs a great deal to be ignorant. It costs a man more to be ignorant than to get an education. It costs more to keep a cow outdoors than inside. Why? Because the demands of the animals for sustenance

are so much greater outdoors than indoors. In the case of a steam engine heat has to be kept up to generate steam. If we set this machinery out in the face of the cold gales and blizzards of winter, will it not take more fuel to bring up the heat than if the machinery were placed in shelter? The cow is simply a machine; it takes the food and produces the milk out of it."

The rise of annual local exhibitions in the more considerable cities of the Province brought up for discussion the status of the peripatetic Provincial Exhibition. On Feb. 21st, 1889, Mr. Nicholas Awrey moved in the House the following resolution: "That this House, recognizing that the Provincial Exhibition has in the past proved of no little service to the interests of Agriculture; that the work it has done is now being more effectually done by the Exhibitions held in our large cities; that in view of the fact that the Provincial Exhibition has proved a financial failure year after year, aggregating a loss during the past seven years of no less a sum than ten thousand dollars; and that it meets each year with but indifferent support; that the large cities refuse to give to it their showgrounds for Exhibition purposes; that property belonging to the Province, held in trust by the Board of Agriculture, has been mortgaged to meet yearly deficits; that the Board of Agriculture released a lien of four thousand dollars held upon the property of the Western Fair Association, and have agreed to give the Association a grant of one thousand dollars in addition thereto for the privilege of holding their Exhibitions in the City of London every fourth year, and that such indications of the unpopularity of the Provincial Exhibition is not creditable to the Province—is of opinion that it would now be justified in refusing to give any further grants for the purpose of holding a Provincial Exhibition under the direction and management of the Board of Agriculture." The House agreed to make one more grant—that one to be the last. Accordingly the forty-fourth and final Provincial Exhibition was held in London in 1889. The Board of Agriculture and Arts, which had been the improvising body, continued in being until 1896.

Jonathan Sissons, the last President of the Association, said in his valedictory address: "This is the semi-centennial of the old time-honoured institution that has done much good, and now passes out of existence with a record unequalled by any kindred society. It has aimed to cater to the wants of the farmers and stock raisers of the Province, pure and simple, and it now dies by Act of Parliament, but not unhonoured or unsung. Although subsidized from $3,000, $4,600 to $10,000 per year on the last half century it leaves a property purchased worth $100,000, or in other words, brings into the Province of Ontario in return for the yearly grants of the last fifty years a clean income of $4,000 per annum in perpetuity, which will soon recoup to the Province every dollar advanced."

The summarized record of the Provincial Exhibition follows:

| Year | Place | No. of Entries | Amount Awarded in Prizes |
|---|---|---|---|
| 1846 | Toronto | 1,150 | $ 1,100.00 |
| 1847 | Hamilton | 1,600 | 2,400.00 |
| 1848 | Cobourg | 1,500 | 2,300.00 |
| 1849 | Kingston | 1,429 | 2,800.00 |
| 1850 | Niagara | 1,638 | 3,400.00 |
| 1851 | Brockville | 1,466 | 3,223.75 |
| 1852 | Toronto | 4,048 | 4,913.00 |
| 1853 | Hamilton | 2,820 | 5,293.25 |
| 1854 | London | 2,933 | 5,427.50 |
| 1855 | Cobourg | 3,077 | 6,941.70 |
| 1856 | Kingston | 3,791 | 6,799.50 |
| 1857 | Brantford | 4,337 | 8,136.00 |
| 1858 | Toronto | 5,572 | 9,215.00 |
| 1859 | Kingston | 4,830 | 8,067.50 |
| 1860 | Hamilton | 7,532 | 12,900.00 |
| 1861 | London | 6,242 | 10,188.00 |
| 1862 | Toronto | 6,319 | 10,722.00 |
| 1863 | Kingston | 4,756 | 9,166.00 |
| 1864 | Hamilton | 6,392 | 10,304.25 |
| 1865 | London | 7,221 | 11,036.75 |
| 1866 | Toronto | 6,279 | 10,228.50 |
| 1867 | Kingston | 4,825 | 9,311.50 |
| 1868 | Hamilton | 6,620 | 11,120.00 |
| 1869 | London | 7,649 | 11,459.50 |
| 1870 | Toronto | 6,847 | 12,441.70 |
| 1871 | Kingston | 6,682 | 12,951.00 |
| 1872 | Hamilton | 7,714 | 13,142.00 |
| 1873 | London | 8,420 | 13,797.00 |
| 1874 | Toronto | 8,162 | 14,070.00 |
| 1875 | Ottawa | 7,318 | 14,651.00 |
| 1876 | Hamilton | 10,011 | 15,631.50 |
| 1877 | London | 10,618 | 14,387.00 |
| 1878 | Toronto | 10,292 | 13,980.00 |
| 1879 | Ottawa | 9,668 | 14,957.50 |
| 1880 | Hamilton | 11,252 | 13,147.50 |
| 1881 | London | 9,486 | 13,456.50 |
| 1882 | Kingston | 7,916 | 14,912.00 |
| 1883 | Guelph | 10,315 | 14,819.50 |
| 1884 | Ottawa | 7,380 | 15,281.50 |
| 1885 | London | 11,662 | 20,235.50 |
| 1886 | Guelph | 9,037 | 14,478.50 |
| 1887 | Ottawa | 9,967 | 12,729.50 |
| 1888 | Kingston | 7,504 | 11,616.50 |
| 1889 | London | 8,095 | 12,501.90 |
| | Total Awards | | $423,824.30 |

Hon. Nelson Monteith succeeded Hon. John Dryden as Minister of Agriculture, and after four years of useful work, retired, to be followed by Hon. J. S. Duff, an enthusiast whose eight years of labour were most valuable. After Mr. Duff's death in 1916 Sir William Hearst took charge of the

Department until the defeat of his Government and the advent of the Farmers' Ministry under Hon. Ernest Drury. Mr. Drury's Minister of Agriculture was Hon. Manning Doherty, who greatly stimulated the movement towards co-operative marketing. Hon. John S. Martin succeeded him on the advent of the Conservatives to power. Mr. Martin is a poultry expert who has won a remarkable business success.

In 1911 the Federal Government set aside $500,000 to be divided among the various Provinces for the aid of Agriculture. The basis of the division was the census returns. Ontario received $175,000, which was expended according to the following schedule, drafted by the Provincial Minister and approved by the Federal authorities:

| | |
|---|---|
| Field Husbandry Building, O.A.C. | $40,000 |
| District Representatives | 21,000 |
| Poultry Work | 10,000 |
| Milking Shorthorns | 12,500 |
| Fruit Work | 9,000 |
| Short Courses | 7,000 |
| Eastern Ontario Live Stock Buildings | 10,000 |
| Special Grant for Exhibition Buildings | 10,000 |
| Agricultural Work in Public Schools | 10,000 |
| Drainage Work | 5,000 |
| Live Stock in Northern Ontario | 5,000 |
| Women's Institutes | 3,500 |
| Dairy Survey | 2,000 |
| Western Ontario Creamery Work | 1,500 |
| Soil Survey | 500 |
| Miscellaneous Work | 3,733 |
| Ontario Veterinary College, Additional Land | 25,000 |

This temporary arrangement was supplanted in the year 1913 providing for the distribution of $10,000,000 to the Provinces for the encouragement of Agriculture during a ten year period. The annual grant to Ontario during the period was $363,319, and the division of the money followed the general lines as indicated above. It provided for special capital outlays and for the enlargement of services which had proved their value.

The record of the Department of Agriculture during the Great War is dealt with elsewhere.

Men of active mind and scientific training could easily devise new methods for the improvement of agriculture. To break down the prejudice and the conservatism of the individual farmer was a greater task. In the early days of the Province the farmer had but little schooling and learned to do things by rule-of-thumb. Long periods of solitude in his labour tended to make him at once reflective and inarticulate. His simplicity of mind made him an easy prey for talkative strangers with schemes for his immediate enrichment, for wandering horse-traders, and buyers of various sorts. Successive losses tended to make him suspicious. The weekly newspapers were filled with charges of crookedness and thievery against the political Parties and against individual politicians, so that his particular suspicion was likely to become general. Moreover the very partial urbanites of the village or

market-town openly displayed an ignorant contempt of the farmer and of farm-life. It is hard to say which contempt was the keenest; that of the village store clerk for the slow-thinking farmer in overalls and a straw hat, or that of the farmer for "the dressed-up fellers in town."

In many instances a typical farmer, steeped in rural folk-lore, doing his planting in the wax of the moon, and observing times and seasons, came to a modest prosperity and thus added to his conservatism and his prejudices a sort of mild arrogance. One may fancy his distrust of a young College man, in good clothes, presuming to tell him how to feed a milch cow, or "finish" a hog, or select seed; differentiating as between various kinds of fertilizer, or pointing out the faults of a fat steer. His "new-fangled" notions were regarded with contemptuous tolerance. If by any chance a young farmer took these notions seriously and began to readjust his farming practice, his methods furnished much neighbourhood amusement and he was chaffed unmercifully.

On the north shore of Lake Erie such a young farmer ascertained after securing a soil-analysis that his farm was perfectly suited for fruit-growing. Since the time of his loyalist grandfather who had walked from Nova Scotia to Elgin County in order to take up land, the farm had produced mixed grains and hay, like every other farm in the district. The young man set out a peach orchard and a variety of small fruits amid the derisive hootings of his neighbours. Ten years later these same neighbours were in the fruit-picking gangs employed by the innovator. Twenty years later, he was the richest man in the district and practically the whole farm was in fruit. The case is proved now. Everyone grows peaches and there is a co-operative rural spirit in the district. The task of the Department of Agriculture was to prove the value of scientific farming, not merely at Guelph, but in each separate district of the Province. It has been achieved, to the immense advantage of the Province as a whole and of every individual farmer. No one talks nowadays of the foolery going on at Guelph. Old prejudices have been worn away and the evils of isolation and solitude have been destroyed. The mustard-seed sown in 1874 has become a great tree.

The Agricultural College is the soul of the Department, the source of inspiration and the dynamo generating enthusiasm. With 500 students in the General Course, 400 at Macdonald Institute, established by Sir William Macdonald in 1904, some hundreds in Special Courses, and at Summer Schools, the total number of students exceeds 2,000 annually. The staff is a galaxy of prophets calling all poor farmers and ne'er-do-wells to repentance; proud of the gospel they are proclaiming and intense in their labours. Hundreds of experiments are constantly in progress; experiments in plant breeding, in general husbandry, in dairy work, in chemistry and bacteriology, in stock feeding. The results of these studies—some of them carried on during a period of years—are published in bulletins which have a wide distribution. In one year, 1922, the bulletin-titles were "Insects Attacking Fruit Trees," "The Preservation of Foods, Home Canning," "Milk Produc-

tion Costs," "Flour and Bread-making," "Farm Management, Parts IV. and V.," "Silos and Silage," "The Cabbage Maggot," "The Rural Literary and Debating Society," "Co-operative Marketing." But the College carries its message directly to the people by means of the Farmers' Institutes, the Women's Institutes, the School Fairs, and the Agricultural Representatives. These last, graduates of the College, are crop-physicians, each living in the centre of his district and being constantly on call. Here is an instance, quoted from the 1922 Report: "A serious outbreak of grasshoppers occurred on Manitoulin Island during the summer of 1921, with such destructive results that many farmers did not have sufficient feed to carry their live stock through the winter, and as a consequence, a great many cattle and sheep were wintered on brouse almost exclusively. No systematic control measures were adopted during 1921, and as the months of May and June, 1922, were very dry, a more serious outbreak occurred, and the complete destruction of crops was threatened. A general campaign was started to combat the grasshoppers and after representation had been made to the Department of Agriculture . . . it was decided to supply the farmers with poison in sufficient quantities to treat systematically the affected area. Professor Caesar, Provincial Entomologist, visited Manitoulin Island on June 13th and 14th, and after going over the worst-infected area, recommended the following poison bait: Bran, 12 lbs., sawdust, 12 lbs., white arsenic, 1 to 1½ lbs., salt, 1 to 1½ lbs., water, about 2½ gallons. Professor Caesar also gave a number of demonstrations in mixing and applying this mixture. Excellent results were obtained and the outbreak very effectually controlled. The Agricultural Representative from Manitoulin reports that along the side of a field of grain 126 dead grasshoppers were counted on a piece of ground six inches by four inches, and forty dead grasshoppers in a horse's footprint."

The appointment of agricultural representatives was a step forward under the Whitney Government. The policy originated with two men of marked talent, Dr. John Seath, Superintendent of Education, and Dr. C. C. James. These officials were first under the School Boards as part of a policy, encouraged by Federal subventions, to make agriculture part of the school course. But, as things worked out, the propaganda was at first largely among adults, and, therefore, the control of the officials was transferred to Dr. James, who enlarged and developed the plan until he was made Federal Commissioner of Agriculture.

The Representative has brought the spirit of Guelph to the remote sideline and has turned the rule-of-thumb farmer into an experimenter in Applied Science. Not long ago towards harvest-time an Ontario farmer pointed to a field of oats; half of the crop was almost five feet tall, the other half was a foot shorter and apparently not as heavy. "Look at that field," he said. "A Government bulletin recommended a certain kind of powdered fertilizer. I got some and put it in the seed-drill when I was sowing those oats. When I got half over the field it was all used up. I did not get any more; I thought

I would like to see what would happen." Farmers all over this Province are "seeing what will happen"; that is to say, the scientific spirit has been kindled. Not only has the prosperity of rural Ontario been assured; the intelligent farmer has become convinced that his is a dignified profession blazing with interest. At the same time, Institutes and Clubs and the Co-Operative Idea, aided by the telephone and the automobile, have created a new Social spirit. The era of Isolation and the sense of Inferiority which it bred have passed. This is the era of a proper pride.

## CHAPTER IV.

### FORESTS AND CROWN LANDS

In the latter part of the Eighteenth Century the forests of Upper Canada, despite their magnificence, were of no economic value to the world. Timber was plentiful in Europe, not only in the Northern Countries, but even to the South of the English Channel. The Atlantic was a tremendous barrier; three times as wide (in time) as the Pacific is today. An average passage from England to Quebec occupied six weeks and often contrary winds extended the journey to nine. If today a Canadian were told that in the Province of Szchuan, of West China, hardwood and pine were abundant, he would not consider developing an import trade in Chinese timber. The analogy may not be perfect;—few analogies are—but it may serve to induce visualization of the situation in England before the French Revolution. What sane merchant in those times would consider sending ships in ballast three thousand miles for timber when he could exchange miscellaneous cargoes of English goods with Baltic Russia or Sweden for forest products? Even the earliest settlers in this Province had no facilities for dealing with the forest. Saw-mills were a secondary or even a tertiary need. A man with enough capital invested it in a grist mill to serve the food-requirements of all the settlers within a radius of fifty miles. The axe provided green logs for a house, plank for a floor, and strips of cedar for shingles.

Twenty years after the first Loyalists had come to the Province conditions had changed. The early clearings had been extended and the second generation was marrying and being given in marriage. Larger prosperity brought more needs. Saw-mills began to appear in every settlement, and while most of them were crude and of small capacity, they were of great advantage in the presence of a new demand. Mills of a more elaborate style appeared on the Ottawa River, for the Napoleonic Wars had stopped the lumbering trade of the Baltic, and a market was offering for Canadian white pine. In 1806 Philemon Wright, of Hull, proved that a raft of square timber could be carried down current and cataract to the St. Lawrence and thence to the many loading-coves of Quebec. Soon his example was followed and long before Waterloo was fought five hundred sail might be found loading timber in the St. Lawrence for the British market.

The west bank of the Ottawa was in Upper Canada, and between its sparse settlements were great areas of Crown Lands subject to the Government of the Toronto Administration, but almost beyond the range of proper superintendence. Not until 1825, nearly twenty years after Wright's first raft went down the Ottawa, were the forests placed under the control of an Upper Canada official. Not until 1827 was Hon. Peter Robinson named as an Executive Councillor in charge of Woods and Forests. From that

time onward forest dues were a source of Provincial revenue, and the Ottawa River export trade, centred at Bytown, became one of extraordinary importance.

For seventy years after the organization of Upper Canada the hulls of British ships were of oak and the masts were of white pine. The Province was rich in both woods, a fact which Government officers were prompt to notice. "We observed a number of pineries" is a frequent comment by the various surveyor-diarists who laid out the first townships and coasted along lake and river in small boats. A grove of fine oak trees marked the site of Toronto. During the War with the United States many ships were built on both sides of the border, and while the need of haste made the use of unseasoned woods a necessity the practical value of these forests as a means of Empire defence was made clear to every observant officer.

The romance of the lumbering industry cannot be denied. The labour during the winter in the forest camp is diversified by the colour of community life in the shanty; the fireside stories, the folk songs, French and English, the bachelor-dances. Then in the spring when the streams are full the logs are tumbled down the steep roll-way into the water and the drive begins. As the logs float down the current, expert river-drivers accompany them with a scow to release stranded pieces, or to prevent entanglements. Sometimes at the head of a rapids one log will become fixed between two rocks and a dangerous "jam" is the result. The drivers have been trained to pick out the key-piece of a jam, and their boldness in releasing it is a tradition on the rivers of Canada. Often in a riot of tumbling logs suddenly released these cat-footed heroes escape death by a dexterity almost miraculous. Occasionally a man will make a false step, and his instant destruction may be celebrated for years in the shanties by interminable ballads of most lugubrious atmosphere. Collectors of folk song should not permit these strange sentimental ballads to die, for although their literary quality is of a low order their psychological significance is very great.

In rivers where the water is shallow dams with sluice gates are constructed that the logs and timber may be floated down more easily. The falls or rapids of the large rivers are avoided by artificial graded channels of crib-work called timber-slides. Down these slides the timber is taken in "cribs" twenty-four feet wide, and of variable length. Principal Grant (*) has described the descent as follows: "We embark on board a crib above the slide-gates at the falls of the Calumet. The raftsmen bid us take firm hold of one of the strong poles which are driven between the lower timbers of the crib. Above the slide the waters of the Ottawa are still and deep; at the left side, through the intervening woods, we can hear the roar of the cataract. The slide-gates are thrown open; the water surges over the smooth inclined channel; our crib carefully steered through the gateway slowly moves its forward end over the entrance; it advances, sways for a moment, then, with a sudden plunge and splash of water, rushes faster and faster

*In "Picturesque Canada".

between the narrow walls. The reflow of the torrent streams over the crib from the front; jets of water spurt up everywhere between the timbers under our feet; then dipping heavily as it leaves the slide, our crib is in the calm water beneath."

At the "banding ground" ninety or a hundred of such cribs were formed in the old days into a raft, with a crew of forty or fifty men who lived sometimes with their wives and children, in a series of wooden houses on the structure as it made its leisurely way down the Ottawa and the St. Lawrence to Quebec. To-day the rafts have disappeared. Square timber is no longer floated, but is sawn into deals and carried by rail to the seaports. In the bow of each brig, barquentine, or full-rigged ship which came to anchor in the widespread harbour of Quebec were two square ports only three feet above the water-line. Here in smooth water the ports were removed and through these yawning mouths the square timber was swallowed into the hold. The capacity of such a vessel was very considerable, particularly when the cargo was topped-off by a deck-load of deals. But the quantity of timber in the swimming rafts was enormous and the trade brought vessels by thousands. The development of the steamship drove these sailing craft off the sea, for one rusty tramp had more room in its capacious bowels than a dozen of the old wind-jammers, and it could make four round trips while a sailing ship was completing one.

In the harbour of Quebec the old crib-work piers of the coves are rotting down for lack of use, for where there used to be a forest of masts one sees to-day only a few red funnels.

The Royal Instructions of 1763 to General James Murray, the first Governor of Canada under British rule, contained the following paragraph:

> And you are also to reserve to us proper quantities of land in each township for the following purposes, viz., for erecting fortifications and barracks where necessary, or other military or naval services, and more particularly for the growth and production of naval timber if there are any woodlands fit for that purpose. And whereas it has been further represented to us that a great part of the country in the neighbourhood of Lake Champlain and between Lake Champlain and the River St. Lawrence abounds with woods, producing trees fit for masting for our Royal Navy, and other useful and necessary timber for our navy constructions, you are therefore expressly directed and required to cause such parts of the said country or any other within your Government that shall appear on survey to abound with such trees and shall be convenient for water carriage, to be reserved to us and to use your utmost endeavour to prevent any waste being committed upon the said tracts by punishing in due course of law any persons who shall cut down or destroy any trees growing thereon, and you are to consider and advise with our Council whether some regulation that shall prevent any saw mills whatever from being erected within your Government without a license from you as the Commander-in-Chief of our said Province for the time being may not be a means of preventing all waste and destruction in such tracts of land as shall be reserved to us for the purposes aforesaid." Concerning the policy thus outlined at the very beginning of British sovereignty in Canada Mr. Aubrey White for many years Deputy Minister of Crown Lands for Ontario has written: "It is to be regretted that their instructions as regards the

maintenance of the timber reserves were not carried into effect, the new rulers no doubt finding many matters of a more urgent character on their hands, and possibly concluding as observation revealed the vastness of the supply, that solicitude for the future was superfluous. Had the far-sighted policy outlined by the British Government been followed, and a timber reserve maintained in each township in addition to such extensive reservations of pine-growing lands as are indicated in this document, with the adoption of precautionary measures against waste and destruction, the agricultural fertility of large overcleared tracts now suffering from greatly diminished productiveness would have been retained, and extensive areas now rendered unproductive by being denuded of their timber could still contribute to our national prosperity."

Business firms accepting naval construction contracts in England were empowered to cut reserved timber in Canada. Scott, Idles & Co., who supplied masts and bowsprits for the King's ships in Great Britain and the West Indies, were granted in 1808, the right, through their agents, to search the woods of Upper and Lower Canada and "there to fell and cut so many good and sound trees as may answer the number and dimensions mentioned in the Contract." The firm nominated Muir & Joliffe, of Quebec, as its agents.

General Brock wrote to his brother, William, in December, 1809: "You cannot conceive the quantities of timber and spars of all kinds which are lying on the beach ready for shipment to England in the Spring. Four hundred vessels would not be sufficient to take all away. Whence will England be supplied with essential articles but from the Canadas?" In commenting upon this letter Lady Edgar says: (*) "Formerly lumber for the use of the Province had come chiefly from Vermont, but from 1806 the lumber trade in Canada had immensely increased, and attention was being given to its development. The condition of the Baltic had stopped supplies being sent from there (to England) and had given an impetus to the trade in Canada. No one realized then the dimensions to which it was to grow. Shipbuilding also had increased."

Soon after the long struggle with Napoleon was ended rumours were heard in Canada that the British Government was likely to impose an import duty on Canadian timber. The Journals of the Upper Canada Assembly for 1818 contain a petition from Thomas Markland and fourteen others, of Kingston, asking the support of the House in a protest which they had sent to the Lords Commissioners of Trade for Colonies and Plantations, setting forth the ruinous consequences of such a tax. In 1821 a Committee of the Assembly under the Chairmanship of Robert Nichol, appointed to consider the Internal Resources of the Country, reported as follows:

The state of the Lumber Trade has for some years past engaged the serious attention of His Majesty's Cabinet Ministers. For the encouragement of the trade in lumber between Great Britain and her colonies, her Parliament some years since laid very high protecting duties on foreign timber. This last duty the dealers in foreign timber have been for some time past endeavouring to get done away, or to procure a duty to be laid on colonial

*General Brock, "Makers of Canada" series.

timber. Should either of these measures be adopted it will effectually destroy the lumber trade with the Port of Quebec, a trade which now employs upwards of five hundred sail, of large ships, which gives employment to a great number of persons who consume much of the surplus provisions which we can raise, and which, independent of the employment given to British shipping, is almost the only means we have of paying for such articles of necessity or luxury as we import. To enable your Honourable House thoroughly to understand this subject your Committee submit certain observations and calculations relative to this trade which they received from a respectable merchant long and intimately concerned in that Branch.

One respectable merchant's figures showed the comparative cost of getting Baltic and Canada timber to the London market:

| | Baltic | | | Canada | | |
|---|---|---|---|---|---|---|
| Freight .... .... .... .... .... .... | | 18s. | od. | £2 | 10s. | 0 d. |
| Duty.... .... .... .... .... .... ..... | £3 | 8s. | 1d. | | 2s. | 4½d. |
| | £4 | 6s. | 1d. | £2 | 12s. | 4½d. |

a difference in favour of the Canadian product of £1 13s. 8d. It was believed in England that the Baltic timber was of better quality than the Canadian, and only if the Canadian merchants could undersell their Baltic competitors was there any chance of successful business. Under equal conditions the European timber would be taken. When Memel pine was £6 6s. per "load" Canadian pine sold for £4 5s. Traders with Quebec argued that if the advantage to the Canadian trade were destroyed or materially reduced by readjustment of duties, the Canada pine could not be quoted at a price sufficiently attractive to the consumer, and the trade would be ruined. Time showed that the danger was less imminent than they had feared, and that the fancied superiority of Baltic timber was a myth, sustained by prejudice and the indolent acceptance of common belief.

The whole question was discussed in the British House of Commons on March 29th, 1821, (Hansard, p. 1500) and the arguments on Protection and Free Trade have a curiously modern flavour. An economic question which can be debated for more than a century without material alteration in the presentation of the arguments is surely an oddity in this world of change.

Concerning the British duties on Canadian lumber, from the latter part of the Eighteenth Century, Aubrey White (*) says:

In the year 1787 when the trade was in its infancy a general consolidation of the duties took place, the impost on foreign timber being fixed at 6s 8d per "load" of 50 cubic feet brought in by a British vessel, with an addition of 2d in case the shipment was made in a foreign vessel. In 1795 the financial strain caused by the war, occasioned a substantial increase and a series of additions took place during the following years, until in 1810 which £2 4s 8d per load in a British ship and 2s 8d extra in a foreign vessel. The marks the commencement of the protective era the timber duty was placed at culmination was reached in 1813 when an addition of 25 per cent. all round on customs duties was imposed, making the timber duty £3 4s 11d with an additional 3s 2d when carried under a foreign flag. A very slight readjustment

*Crown Lands Report, 1907.

took place in 1819 when the war duties, originally designed to be merely temporary, were consolidated with the permanent imposts. The system was again revised in 1821 and a considerable reduction was made, the duty on foreign timber being fixed at £2 15s per load with the addition of 2s 9d for the protection of the British carrying trade. Then for the first time a substantial duty, amounting to 10s per load was imposed, on colonial timber, which up to that time had been virtually free, and which still was accorded the protection of 45s per load as against the European product. The effects of this policy were soon manifested in the falling off of importations from the Baltic and other European ports....and the corresponding increase of colonial production and exportation.....The first noteworthy increase in the volume of the Colonial importation was in 1803 when the number of loads brought from British North America increased from 5,143 the figure at which it had stood the year previous to 12,133. The European importations for the same year amounted to 280,550 loads. The proportion of colonial timber steadily increased for some years; in 1807 it reached 26,651 loads, as against 213,636 loads of the foreign product. The next year it had more than doubled and in 1809 exceeded for the first time the European consignments, the figures being 90,829 and 54,260 loads respectively. In 1811 the United Kingdom received timber shipments to the amount of 154,282 loads from British North America and 124,765 loads from European ports. The war of 1812 caused a depression in the colonial trade during which period the foreign article took the lead until 1816 when the Colonies supplied twice the quantity furnished by Europe. The figures of the trade at this period and for some years following show not only a large increase in the Canadian trade at the expense of the Baltic exporters but a very steady and considerable augmentation in the total volume of timber consumption. In the five years from 1819 to 1823 inclusive, the average annual importation from all sources was 502,156 loads of which 166,600 came from Europe and 335,556 from the Colonies.

The proportion continued about the same despite the readjustment of duties which it was feared by Canadian exporters would prove ruinous. Even in 1842 and in 1846 when the British fiscal policy was oriented anew according to the Free Trade policy, the Canadian export timber trade was not seriously affected. Moreover from this period on to the day of Confederation a heavy demand for Canadian forest products grew up in the United States.

Gourlay in his Statistical Account makes the following reference to early lumbering on the Ottawa: "In 1816 some Scotch emigrants were located in the upper part of Lancaster, and assisted in opening roads. At great hazard I crossed to it through the new settlements the first week of June, 1818, on horseback, and spent a couple of days there. In passing northward from Lancaster the Ottawa River presents itself in grand style, and the woods of the Lower Province rising from its opposite bank, upon hills varying in their aspect, and some of them steep and lofty, produce an effect very agreeable to him who has long been accustomed to the greater tameness of Upper Canada. On an island in the Ottawa River opposite the higher part of Hawkesbury township are erected saw mills of the best construction and upon a scale superior to any other in the Province. They were first owned by Mr. Mears of Hawkesbury; but

are now the property of Mr. Hamilton from Ireland; and the business seemed to be carried on by him with great spirit; about fourscore people being employed in the works on the island. Nothing can be better situated than these mills, either as it respects the command of water as a moving power for machinery, or as a conductor of the log timber to the mills."

Charles Shirreff was another merchant who operated on the banks of the Ottawa River and sent rafts down to Quebec for the export trade. The rapid growth of this business and the very casual manner in which the lumbermen regarded the payment of dues to the Crown induced Lord Dorchester to draft a plan of collection and to appoint a collector. Mr. Shirreff declined the proffered position, and it was granted to his son Robert in 1825. By the Governor's instructions he was to collect the dues at the Chaudière Falls; but in practice this was found difficult. Accordingly the Collector took bonds at the Chaudière for collection at Quebec when the timber was sold. Thus it was necessary to have a man at Quebec, and Robert asked his father to undertake this duty. Robert Shirreff was representing both Upper and Lower Canada, acting for the Lower Province under Dorchester's authority, and for the Upper, under a special commission from Sir Peregrine Maitland. Charles was never officially named as his son's deputy but continued for some years to perform the duties.

A proclamation by Sir Peregrine Maitland dealing with the timber trade was issued in 1826:

Whereas for the more effectually preventing the recurrence of such abuses as have heretofore prevailed in the prosecution of the trade in timber in the parts of this Province bordering on the River Ottawa, and to the end that the public interest may be the more certainly advanced, the commerce in that important article of exportation the better regulated, and more equal justice observed with regard to all our subjects desirous of participating in the said trade, we have thought fit to order and direct that until our Pleasure herein be further made known it shall and may be lawful for all our subjects inhabiting our Provinces of Upper and Lower Canada, freely to enter into our woods and forests in such parts of our said Province of Upper Canada, situated along the banks of the River Ottawa, or upon the banks of the waters running into the said river, and a convenient distance from the same as shall not have been surveyed and divided into concessions and lots, and to cut and carry away such oak and pine timber as may be fit for the purpose of exportation. Provided always, nevertheless, that in the consideration of the authority and permission hereby given the several rates and duties hereinafter specified shall be paid to us, our Heirs and Successors, that is to say, upon every thousand feet of oak timber the sum of £6 5s, being at the rate of 1½d per foot; upon every thousand feet of red pine timber £4 3s 4d, being at the rate of 1d per foot upon every thousand feet of yellow pine timber, £2 1s 8d, being at the rate of ½d per foot, upon sawlogs of the proper length to be cut into deals, 2d upon each log, upon every thousand of standard staves, £4 1s 8d, which duties are to be paid in lawful money of our said Province of Upper Canada, and to be levied and received by such persons as we shall for that purpose appoint by Commission under the great seal of our said Province, and at such place or places on

the said River Ottawa, as we shall declare through our officer to be appointed as aforesaid to be most fitting and convenient.

Provided always that for the better preventing the said timber being cut before it has attained a suitable growth, double the amount of duty herein specified shall be charged upon all such timber as shall not square more than eight inches. And it is further Our Will and Pleasure that all such timber or wood which shall have been cut as aforesaid upon our unconceded lands in Upper Canada, upon which the duties shall not be paid, when exacted by our Officer so to be appointed as aforesaid, shall be seized and detained to our use as forfeited.

Provided always, nevertheless, that all persons properly authorized by or under our license granted in manner heretofore used to cut timber in our said Province shall be permitted to carry away and export the same, to such extent as their license may specify, without the exaction of any rate hereby imposed, and that all such timber as may have been heretofore cut upon our unconceded lands as aforesaid without Our express license may upon payment of the duties hereby specified be suffered to pass through Our Province of Upper Canada.

This Proclamation was issued at York on May 3rd, 1826.

Hon. Peter Robinson was appointed on July 17, 1827, as Surveyor-General of Woods and Forests in Upper Canada, being directly responsible to the British Commissioners of the Treasury, the Secretaries of State and the Governor of the Province. His instructions mark the beginning of Forest Administration by a Minister of the Crown. The first duty of the officer was to make a survey and ascertain "in what districts there may be a considerable growth of masting or other timber fit for the use of His Majesty's Navy." Other timber could be cut under license, the limits being put up at public auction, after notice in *The York Gazette*. The revised terms were set forth in the following clause: Each license shall be for a quantity not exceeding 2,000 feet, and the upset prices will be as follows:

| | £ | s | d |
|---|---|---|---|
| Oak, per 1,000 feet | 4 | 3 | 4 |
| Ash, elm and beech, per M | 2 | 10 | 0 |
| Red pine | 3 | 0 | 0 |
| White pine | 1 | 10 | 0 |
| Staves, per Standard 1,000 | 4 | 0 | 0 |
| Hand spikes, do. | 1 | 0 | 0 |
| West India staves and other timber per 1,000 ft. | 1 | 0 | 0 |

Under these regulations the Shirreffs continued to serve until Robert's ill-health in 1830 sent him to the Southern States. His father accompanied him and left a firm of Montreal merchants. Horatio Gates & Co., to make the collections. The Gates firm and their Quebec agency failed; about the same time the Shirreffs got into difficulties and a considerable sum of Crown money was lost. An early record of collections in the official Parliamentary papers is for 1833 when the sum of £5,231 4s 4d was received as timber dues. In 1834 the revenue was £4,755 8s 11d; in 1835, £8,116, 14s 11d.

In 1840 a Committee of the Upper Canada Assembly recommended that in future the proceeds of sales of Crown timber should be paid to the Receiver-General in the form in which it might be found convenient to receive it at Bytown; and that the promissory notes so taken should be handed for collection to one of the Chartered Banks...."Payment should be rigidly exacted at Bytown."

A return to Parliament in 1845 gave details of the transactions of the Crown Timber Office at Bytown during 1843 and 1844. By this record a glimpse at the extent of the trade is possible. The Government officer, James Stevenson, taxed at Bytown 18,909 pieces of white pine, 102,999 pieces of red pine, 468 saw logs and 64 pieces of oak and elm. The total number of board feet in this quantity was 5,239,752 feet and the dues collected were £19,156 18s 7d. Collections below Bytown on the Gatineau, Rouge and other rivers brought the total to £20,558 8s 7d. The total expenditure for surveys, forest ranging, salaries and various services was £1,909, 12s 4d. In 1845 the timber passed was over eight million feet and the dues collected were £24,763, 0s 2d. Three hundred licenses had been granted for lumbering operations on the Ottawa and its tributaries as far as Mattawa. The dues collected were £36,214 16s 1d; in 1846 they were £39,979 2s 6d.

The census of 1851 made the following record by counties of the saw mills of the Province.

| | | | | | |
|---|---|---|---|---|---|
| Addington | 37 | Huron | 14 | Prescott | 12 |
| Brant | 16 | Kent | 31 | Prince Edward | 32 |
| Bruce | 7 | Lambton | 13 | Renfrew | 19 |
| Carleton | 21 | Lanark | 36 | Russell | 5 |
| Dundas | 15 | Leeds | 45 | Simcoe | 40 |
| Durham | 69 | Lennox | 17 | Stormont | 25 |
| Elgin | 79 | Lincoln | 34 | Victoria | 6 |
| Essex | 6 | Middlesex | 24 | Waterloo | 49 |
| Frontenac | 35 | Northumberland | 82 | Wellington | 27 |
| Glengarry | 21 | Norfolk | 98 | Welland | 31 |
| Grey | 11 | Ontario | 79 | Wentworth | 67 |
| Grenville | 15 | Oxford | 45 | York | 162 |
| Haldimand | 52 | Peel | 35 | Town of Bytown | 4 |
| Halton | 60 | Perth | 14 | Town of London | 2 |
| Hastings | 51 | Peterboro' | 25 | | |

The total is 1,567 mills of which 1,413 were operated by water-power. The production of the whole was said to be 391,051,820 feet of lumber. Ten years later there were in the Province 1,151 saw mills representing an invested capital of $5,180,901, and producing 633,711,350 feet of lumber worth $3,969,464.

Hon. S. Richards, the first Ontario Commissioner of Crown Lands, reported in 1867 that there were 3,286,351½ acres of surveyed Crown Lands disposable at the beginning of the year. The sales amounted to 11,592 acres, bringing $100,317. He added: "Previous to Confederation, separate accounts were not kept of the Woods and Forests revenue re-

ceived from Upper and Lower Canada respectively." The amounts collected from the Province of Ontario for the latter half of the year were timber dues and ground rent, $107,648.61. In April, 1869, new timber regulations were established raising the dues by fifty per cent. with the consequence that the revenue for the year ending Dec. 31st, 1869, was $435,397, as compared with an average for the ten years previous of $150,935.

Hon. R. W. Scott was the Commissioner of Crown Lands under the Blake Ministry. His Report for the business of 1872 recorded the sale of 5,031 square miles of timber berths on the North Shore of Lake Huron producing $602,665.50; this included $2 a square mile for ground rent. In this connection he wrote: "During the past twenty years a few small saw mills have been in operation on the north shore of Lake Huron, the only one of large capacity having been erected as late as 1864. Timber for the supply of the earlier-built of these mills was in a great measure taken indiscriminately from lands of the Crown without license and without payment of dues, with the exception of an occasional trifling amount secured by chance; of late years the demand for sawn lumber has so much increased, and the article in consequence become enhanced in price that the original proprietors of these mills have enlarged their establishments or sold out to others who have done so. Such enlargement and increased cutting capacity rendered necessary a larger supply of timber, which could only be obtained legitimately by acquiring from the Department license to cut; appropriating timber without authority being no longer considered safe."

Hon. T. B. Pardee, who succeeded Hon. Mr. Scott as Commissioner, made a protest in 1879 against the wasteful methods of those engaged in getting out square pine. He said: "When the tree is cut down it is lined off for squaring and the 'round' outside of the lines is, what is called, beaten off on the four sides, the wood thus beaten or slashed off in preparation for hewing by the broad axe is the prime part of the tree from which the best class of clear lumber is obtained when the timber is taken in the round to a saw mill....The upper part of the tree is rejected by the square timber manufacturer and left in the woods with the fine wood beaten off to rot and become material for feeding fires." The Commissioner added that one-fourth of every tree squared for export was wasted. From 1868-1877, he declared, there had been taken from public and private lands 119,250,420 cubic feet of squared timber; waste, one-fourth of each tree or one-third of the total mentioned, reached 39,750,140 cubic feet or 477,000,000 feet board measure of an average value of $7.50 per thousand feet. This waste meant an annual loss of $357,750.

This pronouncement from an official source, and a variation in English methods of manufacture marked the beginning of a new era in Canadian lumbering.

In 1885 Hon. Mr. Pardee sent out fire rangers during the summer months, the licensees paying half the expense. "The effect of their pres-

ence," said the Commissioner, "has been excellent." Fires were suppressed which otherwise might have become vast conflagrations, causing incalculable losses. Persons wantonly violating the provisions of the "Fire Act" were promptly brought to justice and fined, and a general and strong interest in the direction of preventing the starting and spread of bush fires was created and kept alive. The total cost of the service was $7,911; to the Department, one half of that amount, $3,955.50. In 1926 over $800,000 was spent in this preventive work.

In 1887 an auction sale of timber limits on the Muskoka and Petawawa attracted a great many bidders. The 459 square miles sold realized $1,313,755.50 an average of $2,859 per mile. Such a price had never before been approached. In view of the greater value of standing timber because of the increasing settlement of the Province, the dues were revised upwards; from 75c to $1 a thousand upon sawlogs, and from 1½c to 2c per cubic foot upon squared and waney timber. In the death of Hon. Mr. Pardee in 1889 the Province lost a capable and enthusiastic Administrator. He was succeeded by Hon. A. S. Hardy, afterwards Premier of the Province. The first considerable sale under Mr. Hardy's direction held in 1892 disposed of 633 miles of limits, the average price received being $3,657.18. On all this territory the Crown dues were increased to $1.25 per thousand on saw logs and from $20 to $25 per thousand cubic feet on square timber.

During the summer of 1900 the Crown Lands Department under Hon. E. J. Davis, sent out ten exploratory survey parties under instructions to range through specific districts in Northern Ontario and ascertain what were their resources and topographical features. All the work was done to the north of the main line of the Canadian Pacific Railway and each party contained a surveyor, a timber expert who was a good judge of agricultural land, and a geologist, besides packers and canoemen. The record of these surveys as summarized in the Departmental Report to the Legislature here follows:

The results of these extensive explorations have fully justified the most sanguine expectations in regard to the natural wealth and fertility of Northern Ontario. It has been established beyond controversy that in the Eastern part of the territory north of the Height of Land there is an immense area of excellent agricultural land apparently equal in fertility to any in older Ontario with an equable and temperate climate and an abundance of wood and water, which render the inducements it presents to those in search of homesteads as good as those offered anywhere else on the continent. The apprehension entertained by some that our forest resources were very limited has been contradicted by the exploration and estimation of extensive pine areas on the southern slope, as well as the location of great forests of spruce and other varieties of pulpwood north of the Height of Land, which will enable this Province to take a leading position in the commercial world as regards the growing and remunerative pulp and paper-making industry. While the geological examinations have not resulted in any new discoveries of economic minerals (and it was scarcely expected they would) they have been of

material service in identifying and establishing the character of the different rock formations and locating promising indications as a guide to closer investigations in the future. Analyses of the peat taken from the extensive deposits in Nipissing have conclusively shown its high qualities and economic utility and established the value of this great natural store of fuel, which will possibly make it useful in the industrial development of the country.

The great clay belt running from the Quebec Boundary west through Nipissing and Algoma Districts and into the District of Thunder Bay comprises an area of at least 24,500 square miles or 15,680,000 acres, nearly all of which is well adapted for cultivation. This almost unbroken stretch of good farming land is nearly three-quarters as great in extent as the whole settled portion of the Province south of Lake Nipissing and the French and Mattawa rivers. It is larger than the States of Massachusetts, Connecticut, Rhode Island, New Jersey and Delaware combined, and one-half the size of the State of New York. The region is watered by the Moose River flowing into James Bay, and its tributaries the Abitibi, Mettagami, and Missinabie, and by the Albany and its tributaries, the Kenogami and Ogoke. Each of these rivers is over 300 miles in length, and they range in width from 300 or 400 yards to a mile. They are fed by numerous smaller streams and these in turn drain numberless lakes of larger or smaller size, so that the whole country is one network of waterways affording easy means of communication with long stretches fit for navigation. The great area of water surface also assures the country against the protracted droughts so often experienced in other countries. The Southern boundary of this great tract of fertile land is less than 40 miles from Missinabie station on the Canadian Pacific Railway, and the country north of the Height of Land being one immense level plateau sloping off towards James Bay, the construction of railways and waggon roads through every part of it would be a comparatively easy matter. In the small part of the District of Rainy River, which was explored, the proportion of good land is not so great, but the clay land in the townships around Dryden was found to extend north in the valley of the Wabigoon River, with an area of about 600 square miles or 384,000 acres. There are also smaller cultivable areas at various other points.

Another important fact established by the explorations is that the climate in this northern district presents no obstacle to successful agricultural settlement. The information obtained completely dispels the impression that its winters are of Arctic severity and its summers too short to enable crops to mature. The absence of summer frosts noted by the explorers and the growth of all the common vegetables at the Hudson Bay ports must disabuse the public mind of this erroneous impression. The 50th parallel of latitude passes through the centre of the agricultural belt and the climate is not much different from that of the Province of Manitoba lying along the same parallel; with this exception, of course, that the winter is tempered by the great spruce forests and the presence of so large a proportion of water surface. The country too has an abundance of wood for fuel, building and commercial purposes, and plenty of pure water everywhere.

Another point equalled only in importance by the existence of a vast area of agricultural land in this country, and its moderate climate is that it is largely covered with extensive forests of spruce, jackpine and poplar. The value of this class of timber as everybody knows is increasing every day, and the market for it is widening; and rich indeed is the country which has boundless resources in these varieties of woods. In the District of Nipissing north of the Canadian Pacific Railway line there is estimated to be at least

20,000,000 cords of pulpwood; in the District of Algoma, 100,000,000 cords; in the District of Thunder Bay, 150,000,000 cords and in the District of Rainy River, 18,000,000 cords—a grand total of 288,000,000 cords. The pine region does not seem to extend much beyond the Height of Land, but on this side in the country around Lakes Temagami and Lady Evelyn, and to the north, an area of red and white pine of fine quality was explored and estimated to contain about three billions of feet, board measure.

A feature of this region, which it is well to note from an industrial point of view is the existence of many falls on the rivers and streams. These will, no doubt, be utilized with advantage in the creation of economical power when the country comes to be opened up. It was not expected, of course, that the parties would be able to make a thorough and exhaustive exploration of all the territory assigned to them and the estimates here given of what has been reported are very conservative. Totalling up the figures here quoted, however, we have over 25,000 square miles of good fertile land or over 16,000,000 acres, and 288,000,000 cords of spruce or other pulpwood. There are also numerous smaller areas both of timber and land, which are not included in these figures but which will all be available when the development of the country takes place.

Four hundred and twenty miles due north of Georgian Bay the Albany River debouches into James Bay. From that point begins the District of Patricia, the latest and largest addition to the Province of Ontario. It was separated from the District of Keewatin by Federal legislation of 1912, and was officially accepted by the Provincial Legislature in the same year. The District has a coast line on James and Hudson's Bay of over 600 miles. Its southern boundary along the Albany and head waters is over 700 miles long, and the area contains approximately 146,400 square miles, 56 per cent. of the area of the Province. Geologically the District has three main divisions, (a) the sea coast area from 40 to 100 miles back from the shore, which is covered with arable land of various degrees of fertility, (b) a corner of the Huronian formation north west of Temiscaming, and (c) a great mass of Laurentian formation which occupies two-thirds of the entire district. The prospecting country for mining men is enormous and the lakes and rivers are so plentiful that most of the possible mining region can be reached by the canoe routes. Much timber in this region has been destroyed by fires but still there seems to be an abundance of spruce, poplar and other pulp wood. A collection of all the early reports of exploration in the District was made by Wilbert G. Miller of the Bureau of Mines and published by the Province in 1912.

A considerable market for Canadian logs and lumber was developed in the United States from the opening of the North shore limits. The duty of $2 a thousand feet board measure was considered high, but it did not stop the sale of first-quality stock. There was at the same time an export duty of $2 a thousand on Canadian logs, imposed by the Canadian Government in the hope that the raw material would be manufactured at home. Under the McKinley tariff the American duty was reduced to $1 a thousand on lumber on the condition that the Canadian export duty on logs

should be abandoned. The Dingley Tariff made short work of this concession. The regular duty was put back to $2, but a double charge was to be made if the Canadian Government returned to the export duty on logs, an attempt at coercion which was resented. The Ontario Government replied in 1898 by regulations, approved by the Legislature, to the effect that all sawlogs cut on licensed lands of the Crown must be sawn in Canada. Concerning these regulations and their effect, the Commissioner, Hon. E. J. Davis wrote in 1899:

> The export of logs for last summer was estimated last year at from 40 to 50 millions of feet. The quantity actually exported was only some 29 millions. These logs had been taken out previous to the coming into force of the law and were stuck in the streams or bush, and there was some cutting on two small areas exempt from the legislation. The export of logs cut from Crown lands is now at an end. It was necessary to take strong precautions to see that the law requiring logs to be sawn in Canada was strictly observed, so that everybody might realize that the policy was one deliberately adopted and intended to be enforced. Accordingly rangers and assistants were placed at the mouths of the various rivers from Matchedash River to Sault Ste. Marie under the control and supervision of Mr. J. B. McWilliams, supervising ranger of the Province, and it is satisfactory to know that no logs went out which should have been sawn in Canada.....The law has necessitated the expenditure of large sums on building and repairing mills and it is not too much to say that it will cause millions of dollars to be expended here in wages, freight, etc., which would otherwise have been expended in Michigan.

In the Departmental report for 1899 appears the first official mention of the pulp and paper industry, which has grown since that time to great proportions. In the following year regulations were adopted prohibiting the export of spruce pulpwood cut on Crown lands, and of the hemlock bark for tanning purposes.

At the instance of Robert W. Phipps a delegation representing Ontario was sent to the American Forestry Congress held at Cincinnati in April, 1882. It was composed of William Saunders, D. W. Beadle, and William Brown, all of whom were prominent in the fruit-growing industry, and had done good service to the Department of Agriculture in a hundred ways. The Congress, as a delicate attention to the Canadians, named Montreal as the next meeting place, in August, 1882. At this meeting Hon. H. G. Joly spoke, paying a tribute to James Little of Montreal, a pioneer preacher of Forest Conservation whose gospel had been neglected for fifteen years. He was sure that Mr. Little, who had been laughed at because of his hobby, would be proud to see this public proof that he had been right in issuing his successive warnings. The Ontario delegation consisted of D. W. Beadle, Wm. Saunders, P. C. Dempsey, and Thos. Beall. The recommendations of this delegation may be considered as important, since upon them the general Forest policy of the Province has been based. It is true that not every recommendation has been followed but the proposals set up an ideal towards which the Administration has been steadily striving for forty years.

1. That such of the public lands as are more suitable for the growing of timber than for agricultural purposes be retained by government as a part of the public domain.

2. That within this timbered tract scattered portions be leased to persons suitable to act as forest police, to protect the timber lands from trespass, guard against fires, remove fallen timber and act under instructions.

3. That no trees shall be cut, whether pine, spruce, hemlock, or hardwood on any of the public timber lands, under fourteen inches in diameter at the stump.

4. That no cattle, sheep, or swine be allowed to roam at large in any of the public woodlands.

5. That the lighting of fires in or near any woods from May to October inclusive be prohibited under severe penalties. (This counsel of perfection is outside the realm of practical consideration. The Government is educating the people to put out all fires which necessity has demanded, rather than never to light any).

6. That a general stock law be enacted prohibiting cattle, sheep and swine from running at large in any part of the Province unless the Municipal council of any municipality shall pass a by-law authorizing this running at large within that municipality.

7. That encouragement be given to farmers to plant timber lots of not less than ten acres on each farm of one hundred acres, and to maintain the same as a timber lot from which cattle must be carefully excluded. Such encouragement may be given by exempting the timber lots from taxation so long as the same are maintained and properly cared for.

8. That encouragement be given to farmers to plant and maintain shade trees along the public highways and the boundary lines of farms by granting out of the Provincial treasury a sum of ten or twelve cents for each tree so planted and maintained in a healthy and growing condition, for a period of five years, provided the Municipal council of the Municipality in which they are growing shall have granted a like sum.

9. That hereafter it be a condition in all sales or grants to settlers that not less than twenty-five acres in every hundred shall be forever kept as a woodland under penalty of forfeiture of the whole and that the covenant be made to run with the land.

10. That scientific and practical instruction in forestry be given to the students at the Agricultural College.

11. That a competent conservator of forests be employed with a sufficient staff and clothed with adequate powers to see to the proper execution of all laws relating to the cutting of timber, lighting of fires, running at large of animals, etc., etc., within the timber lands of the Province.

12. That as soon as practicable the management of the public forests be assumed by the Government, and all timber be cut and sold, trees planted, pruned and cared for, and all matters relating thereto be conducted under the supervision of a Chief Forester.

13. That the grounds of the several public institutions be utilized as far as practicable as experimental stations by planting thereon timber trees that promise to be of practical value and testing their adaptation to these several localities.

14. That Government cause accurate maps to be made of each County showing the area that has been cleared off, that has been destroyed by fire, and that is yet covered with timber and indicating as far as practicable the quality of the standing timber.

15. That a forest of acclimation be established at the Agricultural College, Guelph, in which shall be planted such forest trees of other countries as may probably become acclimated in this country and prove to be valuable for economical or ornamental purposes.

As a direct consequence of these recommendations the Bureau of Forestry was organized in 1883, under Robert W. Phipps, in order to carry on an educational campaign with respect to reforestation on private lands. Two years later, Alexander Kirkwood, Senior officer of the Lands Branch suggested to the Government the establishment of forest reserves on Crown Lands and proposed, as the first, an extended territory at the headwaters of the Muskoka, Madawaska and Petawawa rivers. A commission of officials was appointed to study the suitability of the district as a forest reserve and national park. In consequence of the report of this Commission presented to the Legislature in 1893 the Algonquin National Park was constituted—an area comprising eighteen townships, which with subsequent additions made 1,109,383 acres. This virgin forest diversified by hundreds of lakes and streams is already one of the most fascinating holiday resorts on the Continent. Since its establishment as a forest, fish and game preserve the policy has had such clear justification that additional reserves have been set aside—at Temagami, Mississaga, Nipigon, Eastern and Sibley Township, an aggregate territory of 16,400 square miles. In these reserves only white pine of a certain maturity can be cut, and by close supervision, the Government hopes to make them permanent forests in which the annual cut will not exceed the annual rate of growth.

A special commission on Forest Preservation was appointed in 1899 at the suggestion of Thomas Southworth, the successor of Mr. Phipps as head of the Forestry Branch. The members were Edward W. Rathbun, Alexander Kirkwood, John Bertram, J. B. McWilliams, and Mr. Southworth, who also acted as Secretary. The recommendations of the Commission in summary were these:

1. A large portion of the Central Division of the Province is more profitable from the standpoint of public revenue as forest land than under cultivation for farm crops, and as in addition to this it contains the headwaters of our principal streams, all that part of this Division found upon examination to be not well adapted for farming should be added to the permanent Crown Forest Reserves.

2. All licensed and unlicensed lands held by the Crown where tourists, lumbermen or prospectors are permitted should be patrolled by fire rangers, and these rangers should be controlled directly by the Government.

3. Suitable regulations should be enforced to prevent too rapid or too close cutting upon lands under license.

4. No license in arrears for ground rent should be renewed, but the territory if not suitable for agriculture should be added to the Forest reserves.

5. Fire notices in the English, French and Indian languages should be posted along the canoe routes throughout the territory north of the Height of Land.

6. License holders should not be allowed to cut any trees for logs smaller than will measure twelve inches across the stump, two feet from the ground,

except by special permission from the Department of Crown Lands and under the supervision of the district forest ranger.

Mr. White in the Departmental Report of 1908 presented some figures which may serve to visualize in a measure the splendour of Ontario's forest heritage.

| | Square Miles |
|---|---|
| Licensed before Confederation | 12,000 |
| Licensed since Confederation (about) | 12,000 |
| | 24,000 |

There is still subject to license nearly 20,000 miles.

| | |
|---|---|
| Total receipts from timber since 1867 to the end of 1908 | $41,250,000 |
| Total receipts from lands and mines from 1867 to the end of 1908 | 9,000,000 |
| Total | $50,250,000 |
| Pine timber cut since 1867 to the end of 1908 | 24,000,000,000 feet |
| Average cut per annum | 578,000,000 feet |
| Estimated quantity on licensed lands still standing | 7,000,000,000 feet |

On unlicensed lands: Red and white pine, 13,500,000,000 feet; pulpwood, 300,000,000 cords about 15% of which (or 22,500,000,000 feet) will probably be suitable for sawlog timber.

Mr. White estimated the value of standing pine, spruce pulpwood, tie-timber, etc., at $370,000,000. Under the Forestry Branch a complete survey of the forest land of the Province has been begun with the purpose of determining the areas which have soil suitable for tillage, and those where timber is the natural and only possible crop.

An admirable survey by R. H. Browne of the early Crown Lands Administration in Upper Canada appeared in the Departmental Report for 1900. After reviewing the seigniorial system and the regulations adopted by Lieutenant-Governor Simcoe and his immediate successors, Mr. Browne touched on the very curious attempt by Archibald McNab to establish a modified feudalism in Renfrew County. He wrote:

On November 5th, 1823, an Order-in-Council was passed by which a township was to be set apart and placed under the superintendence of Archibald McNab of McNab for settlement. Before locating his settlers he required them to sign a location ticket as follows: I, Archibald McNab, of McNab, do hereby locate you, James Carmichael, upon the rear half of the 16th lot of the 11th concession of McNab upon the following terms and conditions, that is to say, I hereby bind myself, my heirs and successors to give you the said land free of any quit-rent for three years from this date, as also to procure you a patent for the same at your expense, upon your having done the settlement duties, and your granting me a mortgage upon said lands, that you will yearly thereafter pay me, my heirs and successors for ever, one bushel of wheat or Indian corn or oats or like value, for every cleared acre upon the said lot of land in name of quit-rent for the same, in the month of January in each year. Your subscribing to these conditions being binding upon you to fulfil the terms thereof.

Signed and sealed by us at Kennel Lodge, this 12th day of August, 1825

ARCHIBALD McNAB
JAMES CARMICHAEL.

"The McNab" apparently received his quit-rents for sixteen years, when an Order-in-Council was passed ordering him to give to the Government all undelivered patents and his patent for timber, that the settlers were to receive their lands on a valuation made by Francis Allen, a special Commissioner, that all labour performed for and all rents paid to McNab were to be deducted from these payments for patents and the same to be withheld from them only coming to McNab from the Government. McNab at first claimed £9,000 for a surrender of all claims, but agreed to accept £4,000 and the lots already patented to him. He received the first instalment of £1,000 and when the deductions aforementioned were made his claim for £4,000 was reduced to about £2,500. (*)

Mr. Browne mentioned the regulations of November 21st, 1825, which provided that no grant would be made to any person without purchase unless the Government were satisfied that the grantee had both the power and the intention of spending in the cultivation of the lands capital equal to half the estimated value; or in case the grant did not exceed 200 acres, that he intended to reside upon or improve the same. A quit-rent of £5 per annum was established, which afterwards Lord Goderich discontinued.

The article continued: "The first sale of clergy lands took place in 1829 and was by auction, one-tenth of the purchase money being payable in cash and the remainder in nine equal annual instalments with interest. Prior to that date these lands were leased for a term of 21 years, the rent of a 200 acre lot for the first seven years being ten shillings per annum or three bushels of good, sweet, clean, merchantable wheat, during the second seven years £1 or six bushels of like wheat, and during the third term of seven years, £1 10s or nine bushels of like wheat." The clergy lands were afterwards valued and sold with Crown Lands.

New rules were formulated in 1831 whereby all lands were to be laid out in lots of 100 acres and sold by auction, provided the bids equalled or exceeded an upset price. In 1840-41 about 750,000 acres were set apart as an endowment for grammar schools, and in 1850, 1,000,000 acres to support Common Schools. These lands were sold at 12s 6d per acre, one tenth cash, and the balance in nine equal instalments with interest. Later the price was reduced to 10s an acre. Lord Durham's Report summarized the land granting records up to the period of the Mackenzie Rebellion in the following paragraphs:

In Upper Canada 3,200,000 acres have been granted to U. E. Loyalists, being refugees from the United States who settled in the Province before 1787, and their children; 730,000 acres to militiamen; 450,000 acres to discharged soldiers and sailors; 255,000 acres to magistrates and barristers; 136,000 acres to executive councillors and their families; 39,600 acres to clergymen as private property; 264,000 acres to persons contracting to make surveys, 92,526 acres to officers of the army and navy; 500,000 acres for the endowment of schools; 48,520 acres to Colonel Talbot; 12,000 acres to the

*A detailed study of this McNab episode by Miss Marjorie J. F. Fraser, of Toronto, was printed in Volume XII. of the Ontario Historical Society's Papers and Records. See also the historical novel "Kinsmen" by Percival J. Cooney.

heirs of General Brock; and 12,000 acres to Dr. Mountain, a former Bishop of Quebec, making altogether with the clergy reserves, nearly half of all the surveyed land in the Province.

In Upper Canada a very small proportion (perhaps less than a tenth) of the land thus granted has ever been occupied by settlers, much less reclaimed and cultivated. No other result could have been expected in the case of those classes of grantees whose station would preclude them from settling in the wilderness, and whose means would enable them to avoid exertion for giving immediate value to their grants; and unfortunately, the land which was intended for persons of a poorer order, who might be expected to improve it by their labour has, for the most part, fallen into the hands of land-jobbers of the class just mentioned who have never thought of settling in person and who retain the land in its present wild state, speculating upon its acquiring a value at some distant day when the demand for land shall have increased through the increase of population.

Under the Government of United Canada a wiser settlement policy was adopted and as new townships were surveyed, colonization roads were constructed to afford easy access to them. In the year preceding Confederation $26,005 was paid for Crown surveys and settlers were finding "locations" along the Addington Road, the Bobcaygeon Road, the Burleigh Road, the Frontenac Road, the Hastings Road, the Muskoka Road, the Opeonga Road, and the Peterson Road.

The first Provincial Report, signed by Hon. Stephen Richards, in October, 1868, contained a summary of the work done on the various colonization roads, some of which passed through a rocky wilderness where farming could never be profitable. The official in charge of the Branch did not hesitate to say that certain of the roads had been "very injudiciously located." The price fixed for Crown Lands in 1852 was 7s 6d per acre west of the Counties of Durham and Victoria and 4s east of Victoria. The Canadian Land and Emigration Company in the year 1851 purchased ten townships from the Government. The townships were Dysart, Dudley, Harcourt, Harburn, Guilford, Burton, Havelock, Eyre, Clyde, and Longford, containing 403,125 acres, deducting therefrom 41,000 acres for swamp. The price was 50c an acre, being $181,062.50, one tenth of which the Company was allowed to spend on roads. The whole was to be settled within fifteen years. "The year after Confederation," says Mr. Browne, "An Act was passed by the Legislative Assembly of Ontario, entitled 'An Act to secure Free Grants and Homesteads to actual settlers on Public Lands.' Section 4 of this Act provides that the Lieutenant-Governor in Council may appropriate any public lands considered suitable for settlement and cultivation, not being mineral lands or pine timber lands, as free grants to actual settlers under such regulations as may from time to time be made by Order-in-Council. Patents are not to issue until the expiration of five years from the date of location and not then unless fifteen acres have been put under cultivation and a habitable house 16 x 20 feet erected, and the locatee shall have actually resided upon the land for the five years. All pine trees growing or being upon land so located, and all gold, silver,

copper, lead, iron or other mines are reserved, but the locatee may cut all trees necessary for fencing, building and fuel, and may also cut and dispose of all trees required to be removed in actually clearing his land for cultivation. All trees remaining on the land at the time the patent issues pass to the patentee."

In the year 1868 there were fifteen townships opened, and up to the year 1899, 163 townships had been placed under the operation of this Act. The sole male or female head of a family with children under eighteen years of age may be located for 200 acres, but the quantity of land to be located to any male without children under 18 is 100 acres; but in case he has not by reason of water, rock or swamp 100 acres that can be made available for farming purposes, the quantity may be increased to any number of acres not exceeding 200, so as to make 100 acres of farming land. Any locatee being the male head of a family may purchase an additional 100 acres at 50 cents an acre. In 1868 there were 46,000 acres located; in the second year there were 56,000 acres; in the third year 155,000; and so on down to 1899, when the total number of locations made by the Department for the 31 years reached 4,012,378 acres.... The general provisions of the Free Grants and Homesteads Act apply also to free grants in the Rainy River District with these minor differences; the limit of a Rainy River free grant is 160 acres. The male head of a family, or the sole female head of a family having a child or children under eighteen residing with him or her, may purchase an additional 80 acres at $1 per acre. A male of eighteen without children may locate for 120 acres, and may purchase 80 acres additional at $1 per acre. The conditions of settlement as regards cultivation and the erection of a house are the same as in other free grant districts but the length of occupation is only three years.

In 1872 an Act was passed by the Legislative Assembly authorizing an inspection of all the lands in the Province sold prior to Confederation, for which patents had not issued, with a view to a reduction in the price of those lots which were reported as having been sold at a price above their real value. This inspection took place, and in accordance with the reports of the inspectors reductions were made in the price of the lands sold in nearly all the old townships of Ontario, and an abatement in the interest was also granted.

Mr. Browne's conclusion was as follows: "It will be seen that one of the basic principles of the land-granting system which has been pursued in Canada from the earliest times has been the residence of the grantee or purchaser on his land and the clearing and improvement thereof. This was one of the prime conditions of the old Seigniorial grants which distinguished Canadian feudalism from the feudalism of Europe. . . The principle has been in practice ever since, down to the present day. Of course in the early days, when land had very little value there were many prostitutions of it, but still it has held, and is today the only condition upon which public land can be acquired in the Province of Ontario."

## CHAPTER V.

### THE MINES OF ONTARIO

In the far stretches of past time, say the geologists, when the world was new, the Laurentian region of this continent was a bold mountain range with lofty peaks, after the present manner of the Rockies. Wind and weather, water and avalanche disintegrated the rock until after countless ages the peaks were worn down and the whole range became a series of rounded hills. The valleys undoubtedly were filled with great quantities of clay and soil which the decay of the mountains and the action of the streams had provided. Then came a cyclic change of temperature and this whole region became covered with an ice-cap, as part of the Arctic country is covered to-day. The movement of the heavy glaciers, unthinkably gradual but effectual, swept the soil of the valleys and all manner of detritus to the lower levels, providing the agricultural land of southern Ontario, and of far northern Ontario; crushed the light and porous rocks to powder and was resisted only by the iron-hard Archaean rock which forms the very foundation of the earth. Another cyclic change of temperature came, perhaps by a change in the angle of the earth's axis, perhaps by an increase in the sun's heat. The ice-cap was melted, leaving immense areas of bare rock with cup-like depressions which the rains soon filled. That is the geological explanation of Northern Ontario, with its ten thousand lakes and streams and with its enormous area of barren rock. In all this range of fundamental rock, whether Laurentian or Huronian, no fossils are found, but it is rich in metals and other valuable minerals. Ontario is admitted by geologists to be the greatest prospecting ground in the world. Thousands of square miles have never yet been seen by a scientist. The portion which has been explored, along the historic canoe-routes or on the north shore of the great lakes has given a rich reward to the miner, and it is believed that discovery of other great mineral deposits is as certain as anything can be in this uncertain world.

A Royal Commission was appointed in 1888 by the Mowat Government to make a survey of the mineral resources of the Province. John Charlton, M.P., for North Norfolk, was Chairman and his fellow Commissioners were Dr. Robert Bell of the Geological Survey, Ottawa, William Coe, a practical miner and prospector of Madoc, William Hamilton Merritt, F.G.S., and Archibald Blue, Deputy-Minister of Agriculture. The Report of this Commission which appears in the Sessional Papers of 1889 pointed out that the existing mining laws were defective, that it was desirable to establish a proper School of Mines, and that a Government Bureau of Mines should be set up. But the recommendations, although important, are not to be compared in interest with the scientific and practical information collected by the Commission. Dr. Bell's exhaustive summary of the Geology of the Province

admirably written and comparatively free from professional technicalities is in reality the digested result of over forty years' exploration conducted by the Geological Survey of Canada under Sir William Logan, Dr. Selwyn, and Dr. Bell himself, the chief assistant. Its fifty-two pages contain authoritative information and should be known to every citizen of the Province who aspires to a liberal education.

While the Report of the Mines Commission was in preparation, the chief subject of political discussion was the advisability, or otherwise, of closer trade relations with the United States. Reciprocity and Commercial Union were in the air. The Chairman of the Commission, John Charlton, was a Free Trade gospeller and smote the pulpit with mighty blows on every possible occasion. He had the same trouble as Mr. Dick; he could not exclude his obsession from the Memorial. Take this example: "The effect of commercial hostility and ruthless repression by tariff enactments upon the sweeping tide of multiform commercial transactions that would otherwise refresh and vivify every town and township of Anglo-Saxon America is in no department of business more painfully apparent than in that of mineral production and development. The effect of restriction has been to produce utter stagnation and in some departments of mineral production a state of suspended animation." It is very clear that the American tariff operated to the disadvantage of Canadian mines. Some public men in that period went so far as to suggest that annexation would not be too great a price to pay for Free Trade. The great body of electors ultimately disagreed with that opinion.

The section dealing with the Mining Laws of Ontario cited the Order in Council of December 12th, 1845, as the first regulation. It provided that priority of exploration would form the ground of application for a mining license, provided the applicant was a British subject and could furnish details of his discovery. No license could be granted until the limits had been surveyed by the Provincial geologist. In the Spring of 1846 the size of a mining tract was fixed at two miles in front by five miles in depth, along the course of the vein. In October, 1846, the terms of possession were fixed as follows: "The several license-holders will be permitted to work the mines under the authority of the licenses which they now hold, with the option, either now or at any time within the period of two years, to purchase the location of ten square miles at the rate of 4s. per acre, payable one-fifth part in hand, and the balance in five yearly payments with interest."

This regulation was followed by another on November 2nd which provided that a license-holder should be entitled to a certificate of location upon payment of £150 to cover the cost of survey and other contingent expenses —this sum to be placed at the credit of the locatee as a part of the first instalment when the sale was confirmed and to be forfeited to the Government in case of failure to make good the payment of that instalment withir two years.

No further change in the regulations was made until 1853. At that time

the Commissioner of Crown Lands represented that the existing system of allotting mining lands had not realized the anticipations formed of it. Accordingly the Government provided for the issuance of a prospector's license at £25. It was to be good for two years and was to authorize the license-holder to take possession of a tract not exceeding 400 acres. At the end of the time he was to have the right to purchase at the rate of 7s. 6d. per acre, in cash.

In 1861 the regulations were revised. Tracts of 400 acres were to be sold at $1 an acre on condition that the location should be worked within one year from the date of grant. No patent should issue until two years from the date of the purchase and then only upon proof that the purchaser or his assignee had continued to work the location bona fide for at least one year previously. The fee of $100 (£25) for permission to explore was abolished, except in the case of gold and silver mines.

The royalty principle first appeared in the regulation of April 21st, 1862, which read as follows: "That in future sales of mineral lands a royalty of 2½ per cent. on all ores extracted be charged, payable in cash, on the value of the ore prepared for market at the mine, and that letters patent be issued for such lands on the payment of the purchase money without any additional conditions; also that lots in surveyed townships, presenting indications of minerals be sold at the same price per acre as the land adjacent, subject to the above-mentioned royalty." In March, 1864, a tax of $1 á ton was substituted for the royalty of 2½ per cent.

The first mining legislation of the United Provinces of Upper and Lower Canada was entitled the Gold Mining Act, and was passed at the Parliamentary Session of 1864. It was an Act of 40 sections governing the working of quartz and alluvial mines and for the protection of miners' rights in their locations. It provided for the institution of mining divisions, under Government inspectors with large powers, for the staking of claims, for licenses to mine, for sworn returns of gold taken out, and for the preservation of the peace. The Act did not make any change in the regulations as adopted in March, but on April 12th, 1865, the tax of $1 a ton was abolished.

After the establishment of the Province of Ontario under Confederation the Legislature at the Session of 1868 passed the Gold and Silver Mining Act which in its general provisions was based on the Act of 1864, with this difference: that instead of charging the miner a fee—for mining privilege—of $1 to $2 a month, it substituted a miner's license to be secured from the divisional inspector at a cost of $5 a year, and required a royalty on the ore taken out. The Act was severely criticised by practical men; therefore at the next Session a substitutionary measure was adopted. The Mining Act of 1869 which remained in force for many years abandoned all royalties, taxes, or duties on ores or minerals and opened all Crown lands, unstaked, for free prospecting. All mining locations were to be rectangular in shape, and of one of the following sizes: 80 chains x 40, 40

chains square, or 40 chains x 20, containing respectively 320, 160, or 80 acres. The Crown, in selling mining locations, reserved the pine timber upon them. The price of mining locations was fixed at $1 per acre. (In 1886 it was increased to $2.)

In 1891 amendments were made requiring the performance of development work upon mining locations, (as distinct from mining claims) within seven years from the issue of the patent. It was also provided that instead of a patent in fee simple a lease of a mining location for ten years might be obtained.

In 1892 all former mining acts and amendments were repealed and a Mines Act was passed.

Archibald Blue, who organized and developed the Bureau of Mines in 1892, retired in 1900 to become Director of the Census at Ottawa, and was succeeded as Deputy Minister by Thomas W. Gibson. Thus there was no break in the continuity of policy and of service. Mr. Gibson has been a thoroughly competent official and has the confidence of mining men throughout the Province.

The Commission of 1889 reported large deposits of iron ore (1) on the north shore of Lake Huron where an extremely fine quality of specular and micaceous hematite was found in places from Killarney to Sault Ste. Marie; (2) the McKellar location on Antler River south of Lake Shebandowan; (3) the Vermilion range of Minnesota which extended northwards into Ontario; (4) the Madoc district; (5) the Kingston district; (6) the Perth district. Difficulties of transport and the low price of ore, together with the American tariff made it unprofitable to work these mines.

The first iron furnace in this Province, said the Commissioners, was erected in the year 1800 in the northern part of the township of Lansdowne, in the County of Leeds, at the falls of the Gananoque River. The ore used was of inferior quality, and had to be drawn a considerable distance, and after two years' trial the enterprise was abandoned. An attempt was made to cast such hollow ware as pots and kettles for the use of settlers but that also proved to be a complete failure. Thirteen years later (1815) John Mason, an Englishman, started to build the second blast furnace, his object being to smelt the bog ores in the county of Norfolk. The site chosen was the shore of Lake Erie, at the mouth of a small living stream known as Potter's Creek, in the township of Charlotteville. The creek was large enough to furnish all the power required to drive the machinery and the lake was convenient for shipping the product to any port along its shore. But Mr. Mason had many difficulties to meet and overcome. Neither the necessary materials nor the skilled labour were obtainable, except at large cost, and the plant when completed was rude and primitive. And misfortune followed to the end for the furnace had made only a few tons of pig iron when the inner lining gave way and the enterprise was given up in despair. Mr. Mason soon afterwards sickened and died. The property remained, going to decay, until 1820 when it was bought by the late Joseph

Van Norman. In March of the following year Mr. Van Norman formed a partnership with Hiram Capron and George Tillson, and in 1822 after an expenditure of $8,000 the furnace was blown-in. The ore supply was found within a range of twelve miles and was drawn to the furnace with waggon teams, the daily consumption being about nine tons which yielded an average of three tons of pig iron of excellent quality. The furnace was in blast eight or nine months each year, producing 700 or 800 tons of iron with a consumption of charcoal fuel equal to 4,000 tons of hardwood. There was, however, no sale for pig iron and the whole of it was made into various kinds of castings, shipped to ports along the lake shore from Fort Erie to Amherstburg, and taken into the interior by teams to find a retail market. In this way the new settler was furnished with sugar kettles and potash kettles—the latter for manufacturing the only article of export for which payment was received in cash. There was little money in the country in those days, and business was carried on by the exchange of commodities. What the farmer had to sell was brought to the furnace and exchanged for the wares or due-bills of the company. Due-bills for iron were used as a kind of circulating medium over a large section of the Province and at one time the books of the establishment showed an amount of over $30,000 outstanding. When the home market became overstocked the firm exported its manufactures to Buffalo and one ship-load of stoves and other castings went to Chicago.

Joseph Van Norman was the managing partner of the company and gave the name of Normandale to the locality where the business was carried on—seven or eight miles west of Port Dover. After five or six years he bought out the interest of Capron and Tillson and took in his brother Benjamin who retired a few years afterwards; from that time until the furnace was shut down in 1847, owing to the scarcity of ore and fuel, the business was conducted in the name of J. Van Norman and Son. The enterprise seems to have been sagaciously managed from first to last and Mr. Van Norman made a fortune. The following memorandum, prepared by G. R. Van Norman, K.C., related to his father's use of the hot-air blast, a device patented by J. B. Neilson of Glasgow in 1828. He had no knowledge of Neilson's invention but discovered the principle independently: "He invented an oven for the double purpose of heating the blast and roasting the ore. Bog iron ore contains a large amount of moisture and unless it is dried or roasted before being put into the furnace an extra quantity of fuel is required to smelt it. By constructing a set of brick ovens or chambers at the level of the charging door and connecting them with the shaft by pipes Mr. Van Norman was enabled to roast the ore by utilizing the waste gas and heat of the furnace. Openings in the sides of the oven, admitted atmospheric air which coming in contact with the gas, produced combustion, and the ore in the chamber was raised to a white heat, the hot air blast of the furnace being fed at the same time through pipes connected with the

roasting chamber. In this way the ore and the blast were both heated without the use of any wood, coal or other fuel than the escaping gas which would have passed otherwise out of the chimney. It is said that the Van Norman stoves which warmed the country stores, bar-rooms, school houses and township halls on the Lake Erie shore seventy years ago were of exceptional quality.

After the Normandale furnace was closed Mr. Van Norman purchased for $21,000 a similar plant in the Township of Marmora, Hastings County, which had been operated, not with success, since the year 1820. It had been established by a Mr. Hayes, but soon passed into the hands of Peter McGill, of Montreal, the principal creditor. In 1828 Mr. McGill asked Parliament for a loan of £10,000 to carry on the works and incorporation was granted in 1831 under the name of the Marmora Iron Foundry. In 1839 Commissioners were appointed by the Government to enquire into the probable cost of transferring the penitentiary from Kingston to Marmora, the object evidently being to utilize the labour of convicts in the mining and smelting industry. Nothing came of the inquiry and the works continued to be a burden upon the owners. Mr. Van Norman although he applied his experience to the task discovered that because of the poor quality of the ore available—from the Blairton mine—and by reason of the horrible roads for transport, success was not possible. He built a road nine miles long to Healey's Falls and made use of the Trent River and Rice Lake for transport, then carrying the pig-iron to Cobourg, twelve miles by waggon over the hilliest road in Ontario. The cost of carriage was reduced by this route and the pig-iron could be sold on the Lake front at from $30 to $35 a ton. But the completion of the St. Lawrence canals made it possible to lay down foreign "pig" at $16 a ton. Mr. Van Norman abandoned the enterprise, receiving a sympathy-cheque of £100 from Peter McGill. In 1856, 1866 and 1875 other efforts to make the enterprise pay also failed.

At the village of Madoc, in Hastings County, Uriah Seymour set up a blast furnace in 1837, but although he was a man of experience and the ore (from lot 11, concession 5 of the township of Madoc) was of good quality, he encountered technical difficulties which stood in the way of success. In 1882 an American firm established a furnace on Burnt River in the county of Haliburton, but lack of capital ended a promising enterprise.

The Hamilton furnace was built in 1895; one was built at Deseronto in 1899, another at Midland in 1900. In 1902 a steel plant began operations at Sault Ste. Marie and a blast furnace went into commission in 1904. In 1907 a furnace began smelting at Port Arthur.

A Report of the Bureau of Mines for 1896 said: "The merchants and manufacturers of Hamilton with the courage and dash for which they are becoming noted have had the satisfaction at last of seeing their iron furnace blown in and producing from native ores a pig-iron of first-rate quality. It is well nigh 40 years since the last iron furnace in Ontario went out of blast

and during that long interval the iron mines of the country have been almost wholly idle."

In 1883 the Dominion Government had offered a bounty of $1.50 per ton of pig-iron produced in Canada from Canadian ores. In 1886 it was reduced to $1 but no stimulus was given to the industry by reason of its existence. In 1897, following the establishment of the Hamilton Blast Furnace, the Federal Government established a new bounty system; $3.00 a ton on pig-iron manufactured, on the proportion from Canadian ore; $2.00 on the proportion from foreign ore; $3.00 per ton on steel ingots manufactured from ingredients of which 50% was pig-iron made in Canada; $3.00 per ton on puddled bars made from Canadian pig-iron. By reason of these bounties, and a supplementary bounty or bonus paid by Ontario the industry was greatly stimulated. The pig-iron production in Ontario from 1896 to 1907 increased from 28,302 tons to 286,216 tons. In the latter year the Ontario ore used was 120,156 tons as against 388,727 tons of American ore. The Helen Mine of the Michipicoten range is the only producer of hematite, the most desirable of iron ores.

One reason for the difficulties in developing the iron deposits of Ontario has been the lack of coal. In the early days charcoal was available—manufactured from the heavy hardwood forests which clothed the country, but modern practice requires cheap and abundant coal.

All true coals are found in beds, in strata which were laid down when vegetation was luxuriant and when the higher forms of animal life had begun to appear on the earth. The geological formation of the mining area of Ontario is ages older than the carboniferous rocks and therefore the hope of coal discoveries—economically valuable—which many persons have entertained is likely to be illusory. Yet in the neighbourhood of Sudbury a material closely akin to anthracite has been found, and periodically the newspapers have printed letters and interviews with reference to it. Dr. A. P. Coleman, the eminent geologist of the University of Toronto, examined the deposit in 1896 and reported as follows(*): "The coaly material occurs as an irregular vein in black fissile slate, mapped by Dr. Bell as Cambrian. The vein runs about north and south up a somewhat steep, rocky hill, turns a little to the east on the hilltop and pinches out. Towards the south the lower end of the vein is buried under the boulder clay which covers the valley. The length of the vein exposed is about seventy feet, but further excavation may show that it continues south beneath the boulder clay. In width the coaly matter measures at its widest part twelve feet but, allowing for the dip, its real thickness is probably six to nine feet. The coaly material does not form a bed as in a true coal seam, but cuts across the slate which has a strike of about 60° east of north. The slate walls show a dip running from nearly vertical to 55° towards the east; and they are somewhat irregular and broken, fragments several feet long lying at one point as 'horses' in the coaly material.

*Bureau of Mines Report, 1897.

"Mr. G. R. Mickle, of the School of Science, has determined the hardness of the mineral to be between 3 and 4, the hardness of anthracite being given as 2 2/5. The pure mineral is lustrous black, resembles anthracite or albertite in appearance, and forms small plates or irregular cubic blocks the largest observed being three-quarters of an inch square. Between the plates or cubes there is generally more or less quartz, and in some weathered portions on the surface the quartz remains as a porous, cellular mass. The only other mineral present is iron pyrites which is scattered through parts of the vein, accounting for the sulphur found in some analyses of the material. It is probably wiser to use the name anthraxolite, applied years ago by Professor Chapman to similar substances from Eastern Ontario and other parts of Canada, than to name the substance anthracite, since the latter is found in beds associated with rocks containing carboniferous or later fossils, and is held by geologists to have been deposited as vegetable matter where it is now found; but the mineral here discussed occupies a vein cutting very ancient slates. It should be understood, of course, that the coals and slated substances show wide variations, they are not sharply defined chemical compounds like most minerals; and this fact makes it unwise to be dogmatic or over precise in naming them."

The government diamond drill (*) explored the deposit in the Township of Balfour in 1897 and discovered that the vein had a depth exceeding 230 feet. The manager of the drill wrote: "While drilling anthraxolite was used in the furnace and gave very good results. It gave a brilliant blue flame and also great heat, but the waste was considerable. It took close attention by the fireman to keep the ashes away. I should judge that fully one-half was waste."

Dr. Coleman doubted if the vein could supply quantities of fuel comparable to those of coal regions, and he considered the percentage of ash, and the quartz mixed with the mineral a serious drawback. He thought that the origin of the vein was bituminous.

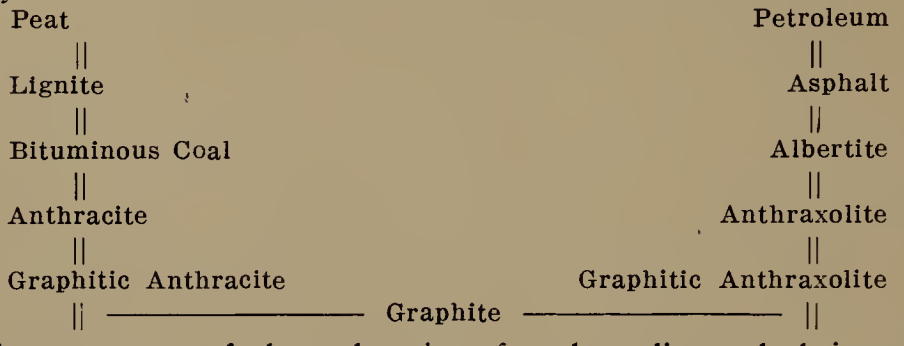
Dr. W. Hodgson Ellis, Professor of Applied Chemistry at the School of Practical Science declared that the samples submitted to him for analysis differed widely. One gave 36.5% of fuel, one 30%, a third 20%, and a fourth, carefully selected, 41%. This selected sample gave a content of fixed carbon of 90.10%; the average was 74.20%. In heating power it was a shade higher than anthracite but it was very difficult to kindle and it burned with exceeding slowness.

Dr. Ellis considered the mineral similar to the graphitic anthracite of Rhode Island and quoted a description by Professor Ralph S. Fair: "A few thousand tons were annually produced, but this burns with such difficulty that it is of use only where there is a strong draft, as in a blast furnace. A very peculiar industry for a coal region has been recently begun upon

*In 1894 the Legislature passed an Act relating to mines and mining lands which provided for the purchase by the Government of two diamond drills to be used in exploratory drilling. One was bought at a cost of $3,611 and was set to work immediately with such satisfactory results that the second was acquired soon after.

the base of the graphitic nature of these anthracites. This is the manufacture of pipe coverings, stove blackings and paints, which show the peculiar condition of the coal beds."

In the view of Dr. Ellis anthraxolite might be considered as a connecting link between the coal family and the petroleum family. The "family tree" of these minerals he constructed as follows:




The great age of these deposits of anthraxolite and their relation to graphite, which is a carbon crystal, has led some geologists to wonder if that other and finer carbon crystal, the diamond, may not be discovered in Ontario. Diamonds have been found in the glacial drift of Wisconsin, Michigan and Ohio, and this drift, in the ice age, originally was borne by glaciers from the highlands of Ontario.

E. B. Borron, ex-M.P., and stipendiary magistrate of northern Nipissing, gave the Mining Commissions of 1889, a complete story of the early copper-mining on the North Shore, and since Mr. Borron was at Bruce Mines as early as 1852 he may be considered an authority. He mentioned the references in the Jesuit Relations to the occurrence of copper on the coast of Lake Superior and recalled the activities of Alexander Henry, an English trader with the Indians, who discovered copper and lead ore in the district of Mamainse in 1767. Henry went to England and formed a company in 1770, the Duke of Gloucester being one of the shareholders. A party of men was brought out; they established a ship-yard at Point aux Pins, about six miles above Sault Ste. Marie, and built a sloop of forty tons burthen. Some work was done at Otonogon, on the south side of the Lake, but evidently not with success, for the whole party removed to Mica Bay on the north shore and sank a thirty-foot shaft. The vein of ore, which was four feet wide on the surface, contracted to four inches at the bottom of the shaft, and the work was abandoned. From 1773 until 1843 nothing further was attempted.

The report of Dr. Douglas Houghton, State Geologist of Michigan, on the mineral lands on the coast of Lake Superior appeared in 1841, and American prospectors became most active in consequence. Their discoveries stirred Canadian capitalists and in 1845 the Montreal Mining Company was formed. On May 2nd, 1846, Forrest Sheppard left Montreal with a small party for the Upper Lakes and was followed a week later by a larger party. There were over eighty men engaged in a survey of the coast from Sault Ste. Marie to Pigeon River, some five hundred

miles, and Mr. Sheppard selected eighteen "tracts", each two miles by five. These were acquired from the Government for $600 each and 20c an acre. The re-examination of the locations in 1847 proved disappointing to the Company, although twenty-one years later the celebrated vein on Silver Islet was found to be one of Sheppard's tracts. The Company turned its attention to the North Shore of Lake Huron and its representative discovered in 1847 the copper veins of Bruce Mines and Copper Bay. In the next three years heavy expenditures were made, not only for the actual work of getting out the ore but for the construction of dwelling houses, warehouses, and wharves. The machinery for "dressing" the ore did not meet expectations; a stone building in which it was set up, had been constructed in mid-winter and when Spring came it tumbled down. Although great quantities of ore had been brought to the surface, not a dollar's worth had been sold in 1851, and an effort to smelt by the Welsh process failed. A new manager was named in 1852—Mr. Borron himself —and at first the results were so favourable that the Company declared a dividend in 1853 and again in 1854. But the veins began to pinch out, labour grew scarce and in 1865 the Montreal Company sold the mine to the West Canada Mining Company. Desultory work continued until 1876 when the mines were abandoned.

The English owners of the Wellington Mine of the same vein had 350 men employed in the 'fifties, and for a time the operations were profitable. The ore was sold in the United States until the outbreak of the Civil War; then a duty of 5 cents a pound put an effectual stop to this trade. Shipment to England was difficult and the heavy labour costs made mining unprofitable. The existence of immensely rich copper deposits throughout the Huronian formation was admitted by all the early miners but the remoteness of the country from a profitable market spelled ruin for investors. (*)

In reference to silver Mr. Borron quoted Alexander Henry who in 1770 mentioned the discovery of the precious metal at Pointe aux Iroquois, about fourteen miles west of Sault Ste Marie. Mr. Norburg, a Russian gentleman, found a blue stone of eight pounds weight, which he sent to England for analysis. It assayed 60 per cent. of silver. In 1852, a French Canadian named Secord, stated that about 1824 he had discovered a mass of white metal on the north shore, and had cut off a piece of it with his axe. He showed the piece to some mining men connected with the Montreal Company who declared it to be silver, and organized an expedition to discover its origin. Secord led the party to Thunder Bay but could not find the exact position of the vein. He was accused of being an impostor and in a fit of melancholy committed suicide. The McKellar Brothers and George McVicar, of Fort William, discovered veins of silver in 1866, but they were not successfully worked.

In 1870 the Montreal Company sold 107,000 acres of their mineral

*The Bruce Mines property was bought in 1908 by a Company of which R. W. Leonard was president and production was resumed after many years.

holdings to Major Sibley, Captain Frue, Hon. Edward Larned, and others, for $225,000. The property included a small island in Lake Superior where galena and copper had been located. Thomas Macfarlane discovered silver there in 1868, and the place was named Silver Islet. It was only 80 feet long, 65 feet wide and six feet above the lake. The mine was opened by the new company, despite the danger and annoyance from storms, and in three years enough silver was taken out to pay the purchase price, acquire expensive machinery and pay dividends to the amount of $360,000. Then the workings ran into sterile rock and after a year-and-a half there was a mortgage of $400,000 on the property. More rich ore was discovered—sufficient to discharge the mortgage, but in 1884 the vessels bringing the winter's supply of fuel for the machinery were frozen in. The pumps ceased and the shafts which had gone 1,200 feet down, far below the level of the lake, filled with water. The Company had arranged for new machinery, but the Federal Government would not remit the duty of some $30,000. There was a new mortgage on the property of $200,000, and shareholders became discouraged and sold out. The actual value of the ore taken out of Silver Islet from 1870 to 1884 was $3,089,157. Then it lay idle until 1922.

S. J. Dawson told the Commission that on the North Shore there was an abundance of silver but that the percentages of ores varied largely. "Some rich ores go as high as $10,000 to the ton and some hardly pay to work. In this district people have always looked after very rich ores and ordinary paying ore has hardly met with any attention at all. I would consider from eight to ten ounces to the ton a fairly paying ore, but they require much more than that here. The reason is perhaps to be found in the fact that they have not got the proper appliances to work such ores with economy. Where mines have been abandoned and work stopped it has generally been on account of lack of capital."

Concerning gold discoveries E. B. Borron said that the Jesuit missionaries in 1660 had reported gold on St. Joseph's Island, but nothing further was heard until 1852-53 when a man engaged in making a survey of the island said that he had found gold. At the request of Sir Hugh Allan, Mr. Borron made a search but found nothing. The first to make known the existence of gold on the North Shore of Lake Superior was Professor Chapman, of Toronto. He had found it at Black Bay in association with galena, copper and silver. This was about 1867. In the Lake of the Woods district gold was discovered in 1879 on Hay Island and Boulder Island. Dr. Henson and William Gibbons were the pioneers. Alexander Matheson told the Commission something of the Winnipeg Consolidated Company which began work in the Lake of the Woods district in 1883 and continued with varying fortune for nearly two years. A five stamp mill was installed but it was not suited for its work and the management lacked experience with the machinery. All the witnesses were agreed that the

deposits throughout the country were rich and plentiful, although the ore generally was refractory.

In the townships of Madoc and Marmora gold was discovered in the early 'sixties, and the Richardson mine in particular yielded a moderate profit for some years. The average of 108 samples was $14.60 per ton, but the ore was difficult to manage by the mining technique of the time, since most of it was arsenical sulphuret of iron.

The presence of oil in the Thames Valley near Bothwell was remarked by Governor Simcoe and his party on their walking tour from Niagara to Detroit during the winter of 1793, and long before the material was recognized as having any commercial value settlers were in the habit of gathering it for medicinal uses. At Oil Springs also there were "gum-beds" of similar type. In 1859 a few surface wells were dug there, collecting the seepage through the gravel, and two years later, in the winter of 1861 and 1862, rock-drilling was undertaken with success. A number of flowing wells were discovered, some of them producing thousands of barrels per day. There was no preparation for storage and the greater part of the oil was wasted. Great quantities ran into Bear Creek and down to the Sydenham River; a schooner smeared with it come into Kingston Harbour some time after and awakened the interest of John D. Noble to such a degree that he moved to Lambton County and became an active operator. Drilling began in Petrolia in 1865 and in 1866 several wells were developed with a capacity of 400 barrels a day. At first the oil was stored in wooden tanks, but a fire broke out, which burned for two weeks, and caused heavy loss. Mr. Noble and others who had suffered by the fire determined to utilize the heavy clay subsoil as a container, and devised the underground tank system which was used for many years. Operations had begun near Bothwell about the same time as at Petrolia. The depth of the wells in the Petrolia district is about 465 feet.

"The wells are drilled," says the Commission's Report, "four and five-eighths inches in diameter. The hole is put down in about five or six days and costs from $150 to $160. In the early days the cost ranged from $1 to $3 a foot and the time occupied from two to six months. Wooden rods are now used altogether instead of cables, a steel drill 3½ inches in diameter and 25 to 30 feet long being attached to the lowest section. Two shifts of three men each form a drilling gang. These Petrolia drillers are very expert and are called for all over the world, much work being done by them in Europe, Asia and Australia. When the drilling is completed a pump of 1¼ to 1½ inch tubing is put down and the well is ready for operation. (*) By a combination of pump-rods working from a wheel and so arranged that they about balance one another; one engine can pump a large number of wells—as many as 90 in some cases. These driving rods are known as 'jerkers' and are driven by an engine of about 12 horse-power.

*It is first "shot"; that is to say, 35 pounds of nitroglycerine is exploded at the bottom to shatter the oil-bearing rock.

The wells yield at the present time about half a barrel of oil on the average per diem and all have to be pumped. In the old days some flowing wells were struck. Old wells are being constantly abandoned and new ones drilled." About 2,000 wells had been drilled in the Petrolia district and half as many in the Oil Spring district. The crude contained less of the illuminating oils than the Pennsylvania crude and more of the heavy lubricating oils and paraffine. The first refinery was established at Petrolia in 1861, and in those days gasoline and naphtha were called "incondensable gases."

The first discovery of nickel in Ontario had been made in 1846 at the Wallace Mine, near the mouth of the Whitefish River, north shore of Lake Huron. A report upon it was made in 1848 by Alexander Murray of the Geological Survey. Eight years later (1856) Mr. Murray made an exploration of the region near Whitefish Lake. In the present township of Waters he found an outcrop of mixed iron pyrites, nickel and copper.

While the Canadian Pacific Railway was being constructed across the rock wilderness of Northern Ontario—that is to say, in 1882, 1883 and 1884—numerous mineral veins were uncovered in the neighbourhood of Sudbury. Claims were filed, and the Canadian Copper Company began to take out large quantities of ore.

S. J. Ritchie, of Akron, Ohio, was one of the early owners of copper properties in the Sudbury Region. He has explained the discovery of the importance of the Mines in a Report published by the Bureau of Mines in 1905. In 1886, he said, some work was done on the property of the Canadian Copper Company at Coppercliff, and in 1887 a shipment of some 1,200 tons of the ore was made to the works of the Orford Copper Company at Constable Hook, N.J., in the harbour of New York. While the chemist of the Orford Company was making his analysis of the product of the furnaces from these ores he found a metal with which he was not familiar, and after numerous tests, he determined this substance to be nickel. "I happened to be in the laboratory," said Mr. Ritchie, "when this discovery was made. Robert M. Thompson, the President and owner of these works was also there. The discovery of the nickel in these ores was unexpected news to both Thompson and myself. We found we had a great nickel deposit instead of a great copper deposit."

A shipment of 1,000 tons of dressed ore was sent to England about the same time and the assays corroborated the New Jersey report. The average of nickel-content in 1890 was 3.52 per cent., and of copper, 4.32 per cent.

As the world's annual consumption of nickel was then only about 1,000 tons the question arose as to what was to be done with all the metal which these great deposits could produce. Ten years before a chemist and inventor of Washington, named John Gamgee, was seeking for an especially hard metal for the construction of a gas engine. Remembering that a meteorite which he had seen in a geological museum was constituted of nickel and iron he experimented with such an alloy and was successful

in producing a metal, which surpassed his best hopes. Mr. Ritchie had been associated with Gamgee and conceived the idea that such an alloy might be used in the manufacture of guns and armour plate. Krupp was approached but the great German manufacturer did not consider that nickel was sufficiently plentiful to be used generally as a strengthener of steel. Nevertheless he or his representatives urged the British Iron and Steel Institute to look into the matter, and tests were made of the alloy. They were so favourable that the Secretary of the American Navy was impressed. He ordered a nickel-steel plate from Creusot's of France and tested it at Annapolis in comparison with a plain steel plate made at Sheffield. The test consisted of firing at each plate with an eight inch gun. The result of this test was to prove conclusively that the ideal substance for guns and armour plate was nickel steel. Says Mr. Ritchie: "Neither Gamgee nor any other man invented nickel-steel. It is a discovery, not an invention, and it is probably the only instance in the world where any form of manufacture is carried on after a formula coming from the heavens or some other world than our own. There is a beautiful specimen of nickel-iron meteorite in the Geological Museum at Ottawa, weighing about 400 lbs. It contains something over 6 per cent. of nickel, and was found on a farm in Hastings County. It never occurred to this farmer that this lump of metal was a manufacture of the skies."

The rest of the story is familiar to all the world. Every great navy adopted nickel-steel and the Mines of Sudbury entered upon an era of great prosperity.

According to Dominion Bureau of Statistics figures, the nickel production of Canada in the years indicated was as follows:

| | Quantity (lbs.) | Value |
|---|---|---|
| 1889 | 830,477 | $ 498,286 |
| 1894 | 4,907,430 | 1,870,958 |
| 1899 | 5,744,000 | 2,067,840 |
| 1904 | 10,547,883 | 4,219,153 |
| 1909 | 26,282,991 | 9,461,877 |
| 1914 | 45,517,937 | 13,655,381 |
| 1918 | 92,507,293 | 37,002,917 |
| 1919 | 44,544,883 | 17,817,953 |
| 1920 | 61,335,706 | 24,534,282 |
| 1921 | 19,293,060 | 6,752,571 |
| 1923 | 62,453,843 | 18,332,077 |
| 1922 | 17,597,123 | 6,158,993 |

At the outbreak of the Great War charges were made by the *Toronto World* and other newspapers that some of the nickel from Ontario mines had reached Germany, since it was all smelted at that time in the United States. The Government, although it had assurances from the smelters and from the British Admiralty that the danger was exaggerated, named in 1915 a Commission to make a study of the situation. In consequence of the report of that Commission, which was made in 1917, the Port Colborne Smelter was established.

The great reduction in the income of the mines in 1921 and 1922 was due to the Armament Limitation Conference in Washington, but nickel is being used more freely in the peaceful arts than ever before and the market has been at once diversified and stabilized.

The first discovery in Ontario of corundum, the abrasive crystals akin to rubies, was made by Dr. Sterry Hunt, F.R.S., of the Geological Survey in 1847 while exploring in Burgess township in the county of Lanark. Crystalline grains were found varying in colour from a light rose-red to a deep sapphire blue. "Their hardness," said Dr. Hunt, "which is so great as to enable them to scratch readily the face of a crystal of topaz showed them to be nothing else than the very rare mineral corundum, which from its colours is referable to the varieties known as oriental ruby and sapphire." Nothing further was done with respect to this find. In 1876 a farmer named Robillard of the Township of Raglan, Renfrew County was returning with his daughter from a cranberry marsh. In climbing a hill he sat down on a large boulder to rest. The little girl picked up a stone and showed it to him, saying that it looked like the stopper of a cruet-bottle. Then they discovered that the boulder was "paved with cruet-stoppers," in Robillard's phrase. The advice of a practical miner was sought and he declared the mineral to be apatite. In 1884 Robillard and John Fitzgerald applied for mineral rights on the property, and sought in vain to sell it. In 1897 they were informed by an expert that the mineral was not apatite but corundum. A discovery was made also in Carlow Township, Hastings County in 1886.

During 1897 and 1898 Professor W. G. Miller of the Kingston School of Mines traced the corundum-bearing rocks eastward across Carlow, through Raglan and Lyndoch to the shore of Clear Lake, a length of about 30 miles. The breadth of the band varied from half-a-mile to three or four miles and its total area was about 60,000 acres. Another discovery was made in Methuen, Peterborough County, when the band was traced for six miles, with a width of two miles.

The first discovery of natural gas in commercial quantities was made by the Ontario Natural Gas Company in 1888 on lot 7, 1st Concession of Gosfield, close to the village of Kingsville. The village council considered that the terms offered by the Company for the use of the gas were too high and a Citizens' Association was formed to compete. A well was sunk in 1889 but without result. Meantime the original company had secured prior rights on all the farms in the neighbourhood, and it seemed as if the Association was shut out. But the Association, now known as the Kingsville Natural Gas and Oil Company, secured from the Township Council the right to bore on the public highways. The Ontario Company protested, and took the case to the Courts, but without success. The Kingsville Company bored another well on a county road and struck a good flow at a depth of 1,015 feet. The daily capacity of this well was originally 9,000,000

cubic feet. This was the beginning of an industry that for twenty years was of the greatest advantage to Southern Ontario.

All kinds of building material are plentiful in Ontario. There are quarries of granite, of marble, of sandstone, and of limestone in many parts of the Province and the quality of the stone is unequalled. Marl is common and an infinite variety of clays for bricks, tile and terra cotta.

Late in the Autumn of 1903 announcement was made of a series of important mineral discoveries near Haileybury, along the line of the Temiscaming and Northern Ontario Railway, then under construction. Professor W. G. Miller made a survey of the four veins revealed and reported that three of the four were rich in native silver, while all four carried cobalt and nickel. "On the weathered surface," he wrote, "the vein matter is coated with the beautiful pink decomposition product, cobalt bloom. The green nickel stain is also seen on some surfaces but is usually marked by that of the cobalt. The native silver occurs as films or leaves and fine threads of moss-like forms through the nickel and cobalt minerals. In weathered portions of the ore the silver shows distinctly. One sheet composed chiefly of silver, attached to a rock surface had a thickness of nearly 0.375 inches and a diameter of about one foot." Concerning the fourth vein examined, Prof. Miller said: "Here a perpendicular bare cliff of rock 60 or 70 feet high faces west. The vein whose width averages not more than eight inches cuts this face at right angles and has almost a vertical dip. The vein is weathered away leaving a crack in the face of the cliff two feet, in some places 4 or 5 feet in depth. When I saw it first it had not been disturbed. Thin leaves of silver up to two inches in diameter were lying on the ledges and the decomposed vein matter was cemented together by the metal, like fungus in rotten wood. It was a vein such as one reads of in text books but which is rarely seen, being so clearly defined and so rich in contents."

The samples in which native silver was distinctly visible possessed the following percentage composition.

| | 1 | 2 | 3 |
|---|---|---|---|
| Silver | 23.97 | 27.00 | 26.24 |
| Cobalt | 2.85 | 2.80 | 8.34 |
| Nickel | 0.97 | 1.00 | 5.26 |
| Arsenic | 18.30 | 19.30 | 13.28 |

The percentage of silver in sample No. 3 represents a value of $5,237.60 per ton.

While Professor Miller was making this study he determined that "Long Lake" was an unsuitable name for the railway station which was the nearest to these veins. There was already a "Long Lake" post-office in Frontenac County, and there were perhaps a score of lakes throughout the north bearing this descriptive but undistinguished name. By a flash of inspiration he painted the name "Cobalt" on a board and set it up at the station-site. The miners eagerly adopted it and the Commissioners of the Temiscaming and Northern Ontario Railway followed suit.

The first claim in the Cobalt field was filed by James H. McKinley and Ernest J. Darragh, who applied on August 14th, 1903, for a location "about 600 feet southeasterly from the ninth mile, say between stations 54 and 64 surth from New Liskeard of the Temiscaming and Northern Ontario Railway." The discovery was made on August 7th, and the rock was said to contain "a goodly proportion of native silver." This is the site of the well known McKinley-Darragh mine.

On September 15th, Fred La Rose, a blacksmith employed on railway construction, found a vein of what he thought was copper ore. His claim was approved, and Prof. Miller showed him that the ore was rich in native silver, blackened by the weather. The La Rose Mine is the most famous of all the Cobalt properties. It was purchased from the discoverer by Noah Timmins.

There were sixteen producing silver mines in 1905: LaRose, M. J. O'Brien, Kerr Lake Mining Co., Victoria Mining Company, Buffalo Mining Co., Trethewey Silver-Cobalt Mining Co., Coniagas, McKinley-Darragh, Nipissing, Lawson, White, University, Watts, Cobalt Silver Queen, Handy, and Drummond. These mines although only in development stage raised 3,144 tons of ore, which produced $1,372,577. The natural consequence was a boom in mining stocks which had the usual unfortunate effects.

The value of silver production, Cobalt Mines, for the first ten years of their operation was:

| | | |
|---|---|---|
| 1904 ..... | 4 mines | $ 111,887 |
| 1905 ..... | 16 | 1,360,503 |
| 1906 ..... | 17 | 3,667,551 |
| 1907 ..... | 28 | 6,155,391 |
| 1908 ..... | 30 | 9,133,378 |
| 1909 ..... | 31 | 12,461,576 |
| 1910 ..... | 41 | 15,478,047 |
| 1911 ..... | 34 | 15,953,847 |
| 1912 ..... | 30 | 17,408,935 |
| 1913 ..... | 35 | 16,555,001 |

The wealth of the Cobalt deposits may be best understood by the record of the Nipissing Mines. This corporation controls a number of separate workings. In 1904 the property was developed as a shipper. In 1905 it produced 753,153 ounces of silver; in the following year, 2,214,821 ounces. The gross production to the end of 1923 was 68,928,466 ounces for which the Company has received $45,057,300.14.

Porcupine River and Porcupine Lake lie north and west of Haileybury. The region was generally known as the Porcupine Country when the silver mines of Cobalt were opened. In 1909 rumours began to be heard that gold might be found on the Porcupine ridge. A prospecting party was organized which included Jack Wilson, Barney McEanney and Benny Hollinger; the last-named had been "grub-staked" by a friend in Haileybury to the extent of fifty dollars' worth of supplies, on the understanding that he would have half of all discoveries. After the party left, the friend sold a half-interest in his share of the prospect for $30.

The party came to the ridge which had been favoured by Joe Moore, an Indian trapper, as a good place for marten, and began their search. Jack Wilson and Barney McEanney were fortunate; the claims they staked became the Dome and the Porcupine Crown mines. Benny Hollinger seemed to be out of luck. At last his companions called to him to "stake any old thing," as the boat was leaving. He chose a location at random, drove in his markers, and then turned back a sheet of moss—very greatly to his advantage. He sold his rights to Noah Timmins for $330,000, and Mr. Timmins is now President of the Hollinger Consolidated Gold Mines, capitalized at $25,000,000, and with a production of approximately $1,100,000 per month. The shaft is 2,000 feet deep, for the ore improves with depth and the underground workings at the various levels have a length exceeding 66 miles.

Jack Wilson's find, the Dome, has produced in eleven years $23,471,168,26 and the ore has averaged over that period $7.21 per ton. The McIntyre-Porcupine has produced dividends equal to its entire capitalization.

There is gold also at Larder Lake, at Kirkland Lake, at Gowganda, at West Shining Tree, and also in the Lake of the Woods district in a score of places. According to the records the total dividends paid by the gold mines of Ontario has reached the grand aggregate of $33,641,978 on a total capitalization of $42,138,286. And in many cases many years of production are in prospect. Already the mines have yielded $128,400,000 in a comparatively few years.

The Deputy Minister of Mines, Mr. Thos. W. Gibson, has given in the following sentences the outstanding facts concerning the importance of Ontario as a mining field:

"The largest high-grade talc deposit on the continent is situated at Madoc; the greatest mica mine, the Lacey, near Sydenham; the largest highgrade feldspar mine near Verona; and the greatest graphite deposit, known as the Black Donald mine, near Calabogie. Ontario possesses at Sudbury the most valuable nickel deposits in the world. Of these the Creighton ore-body is undoubtedly the largest, the highest grade, and most important. Cobalt is widely known as the richest silver camp in the world, the value of the output to date (1915) approaching that of gold from the Yukon. Ontario also possesses in Porcupine the most promising of the younger gold camps on the Continent."

In July, 1925, an unusually rich gold deposit was discovered on the shore of Red Lake, in the District of Patricia, about ninety miles north in direct line from the town of Kenora, and roughly about 1,200 miles from Toronto. It was, strictly speaking, a re-discovery, for the existence of gold in the neighbourhood had been proved in 1897. The story which is touched with romance has been admirably told in the "Compressed Air Magazine" of July, 1926, by "Hugh Ronyan." Those who know Mr. T. W. Gibson, Deputy Minister of Mines, find in this pseudonym only a partial concealment of the author. Some paragraphs from the article here follow:

"Nearly thirty years ago a company composed mostly of well-born Englishmen and Irishmen, called The North-Western Ontario Exploration Company, Limited, and with the Earl of Portarlington as President, sent several of its members on a prospecting tour into the wilds. They left Dinorwic, on the Canadian Pacific Railway, in the early summer of 1897; passed in their canoes through Sandy Lake, Minnitaki Lake, Lac Seul, Shallow Lake and Gull Rock Lake, and came to a halt at Red Lake. Perhaps D. B. Dowling's description of the geology of Red Lake, published by the Dominion Government in 1894, may have been the cause of their resting there.

"The party prospected for minerals and found gold. Not alluvial gold in sand and gravel, as in California or Cariboo, but gold in veins in the solid rocks. From the decomposed surface of these veins they got a good showing of colours in their gold pans. It was necessary to have their claims properly surveyed, and so they decided to return at once to civilization and to bring in a surveyor. Taking their samples with them to be assayed, and elated at their good fortune, they embarked in their canoes for the return trip. The last man was the leader of the party, R. J. Gilbert. Alas, the tragedy! Gilbert had laid his belt containing a heavy Colt revolver on the rocky shore. As he stooped to pick it up, the revolver slipped from the loosened holster, struck hammer down, and the bullet pierced Gilbert's body, killing him on the spot. He was a big, powerful man, and the weather was hot; but with wonderful courage his companions took his body all the way back to be laid among his own folk. One can imagine something of the pathos of that journey.

"Reaching home they engaged a surveyor; retraced their two-hundred mile canoe trip; had their claims surveyed; established camp; and continued through the winter to develop their find. The assays ran from $2.60 to $12.50 per ton, and there were numerous outcroppings showing gold. The party contented themselves with laying out eight claims only. But the difficulties of the situation were too many for even these stout Britishers. The distance from the front, the heavy cost of transporting supplies, and the impossibility of taking in machinery brought the enterprise to a close.

"There is a curious sequel to this story. The surveyor who laid out the claims was J. W. Tyrrell of Hamilton, famous in the annals of Canadian exploration. In the month of March, 1926, Tyrrell's son and a companion named Farewell flew in an airplane from Hudson Station to Red Lake; and, guided by the old field notes, re-staked the abandoned claims.

"Wandering prospectors found gold and silver in the region in 1922 and 1923 but the veins were small, and apparently not of great value. However, a few claims were staked, and in 1922 and also in 1923 the Ontario Government sent in a geological party, under Dr. E. L. Bruce to make a closer examination. Bruce's report and map, published in 1924 were eagerly scanned by prospectors, trained in the Porcupine and Kirk-

land Lake gold fields, who recognized the geology as favourable for the occurrence of gold. So the Howey Brothers, Lorne and Ray, skilled prospectors from the Kirkland Lake gold camp, who appreciated what Algoman intrusives and porphyry dikes in contact with granite or Temiscaming sediments meant in relation to gold—followed in Bruce's steps; and where that conscientious investigator saw only geology, they found gold. Tracing up a stringer they suddenly came upon a vein eight feet wide in some places and forty feet in others, with gold showing all through. The brothers looked at each other and tears stood in the eyes of both. Lorne tells the story: " 'Looks like we got it' said I to Ray. 'Ain't that what we came for?' retorted Ray, and he turned his head away and darned near cried out aloud? Staking out twenty-two forty-acre claims, they hastened to Kenora to record them.

"At Kirkland Lake the brothers had been associated with a well-known mining man named Jack Hammell, and to friend Hammell they told the news. It was late in the autumn of 1925 when ice might form at any time on the lakes and rivers and hermetically seal up the infant camp; but Jack Hammell was equal to the emergency. Assembling his men and provisions at Hudson he succeeded in obtaining the use of the Government forestry service airplanes that were just completing their patrol for the season. So with canoes and with airplanes Hammell got his workmen and food supplies on the ground before the freeze-up.

"Stripping the find of its overburden of earth and digging trenches across the formation, the party had exposed the showing sufficiently by the middle of January to enable an estimate to be made of its promise. But let Hammell himself sum up the find. 'We have three alternatives: First, if we want to mine over widths of ten or twelve feet, we can mine ore that will average $50 to $75 a ton; second, if we desire to make a medium-grade mine we can mine medium-grade ore over a width of fifty feet; third, if we want to mine low-grade values on a huge scale, we can mine ore over as much as sixty-six feet. We actually have commercial values across a width of sixty-six feet. The vein has been opened up for twelve hundred feet in length and is just as strong at east and west as it is at any intermediate point.'

"Hammell's next move was to interest a mining organization with sufficient capital and enterprise to take over the property and make a mine of it. It was no poor man's job. But it is a fact that successful mining companies recognize that at the best a mine is a wasting asset, and are therefore always on the lookout for new mines to open and new fields to conquer. Armed with assay-sheets and technical data, Hammell easily obtained a hearing from Dome Mines, Ltd., which operates the well-known Dome gold mine, one of the Big Three at Porcupine. Dome sent its engineers and geologists headed by 'Doug.' Wright and John Reid to study the prospect. They thoroughly checked up all the work that had been done, and reported favourably; and a deal was made by which the Dome

Company took an option on the Red Lake Howey claim, paying $50,000 in cash and acquiring the right to purchase a 75 per cent. interest in a $5,000,000 company for $450,000. The prospectors and Hammell retained a quarter-interest.

"News such as this was all that was needed to set the heather on fire. Hudson, the point of departure from the Canadian National Railway, is a little flag-station about 15 miles from Sioux Lookout. At Hudson there was absolutely nothing but a small station, a Hudson's Bay store, and an old hunting lodge, now transformed into a 'stopping place.' Out from Hudson sped the prospectors, the race being to see who could first stake out claims nearest to the Howey group. Deep snow covered the chain of lakes forming the route to Red Lake. Only dog-teams could negotiate the journey. Two to five huskies in a row, according to the load, trailing toboggans piled with supplies and equipment, dotted the long 130 mile trail, the men travelling ahead to break the way for the dogs or mushing behind. This may seem a romantic method of travel but in reality it is gruelling work, fit only for the strongest and the hardiest.

"From Hudson to Red Lake it is good going to make the distance in five days when the trail is in fair condition. Often seven days are none too long.....All food and commodities of every kind must be brought in from the railway and as may be supposed prices are high. An airplane service has been inaugurated from Hudson and when weather permits passengers are carried for $100 each. Rates for baggage are 50 cents per pound.

"Perhaps no other mining field has ever received so much advertising in the press as Red Lake since the discoveries were made. The flying machines making the journey from the railway into Red Lake in two hours or less as against a week's steady mushing through the snow, has added a picturesque touch to the story. Red Lake has been broadcasted on the radio, it has been filmed for moving pictures, and the newspapers have featured it in story and illustration. Additional discoveries have been made and new fields such as Birch Lake and Woman Lake on the east and Rickaby and Bee Lakes on the west have all been found to contain gold."

Hon. Charles McCrae, Minister of Mines, made the following statement to *The Toronto Globe* on December 31st, 1926:

"Never perhaps in the history of Ontario has the promise of the mining industry in this Province been greater or brighter than at the close of 1926.

"We have the great nickel mines of the Sudbury district restored to more than their pre-war scale of activity, producing 90 per cent. of the world's needs in nickel, and bidding fair soon to surpass in output the peak year of 1918, when the god of war clamoured for the products of Sudbury mines.

"We have two developed gold fields, at Porcupine and Kirkland Lake, respectively. The output of gold last year, $31,000,000, was the largest on record. In both camps, and elsewhere, preparations are on foot for still

greater production. Shafts are being deepened, more ore brought in sight, crushing capacity increased. Several new mills are beginning to turn out bullion; hopeful discoveries made in 1925 and 1926 in Michipicoten, at Red Lake, Woman Lake and Narrow Lake are being developed. The latest gold rush, still going on, has its scene at Lake Savant, north of Bucke Station on the C. N. R.

"The silver fields of Gowganda and South Lorrain, where high-grade ore is being mined as rich as any ever obtained at Cobalt, are handsomely supplementing the yield of the parent camp.

"What has every appearance of proving a new branch of the mining industry is being developed in the Sudbury basin. Extensive diamond-drilling has revealed the existence of large deposits of copper-zinc-lead ore, and shaft sinking has begun. Hitherto zinc and lead, while finding a place in the list of Ontario's minerals, have not figured prominently in the statistics of production. Northeast of Sault Ste. Marie promising finds of zinc-lead ore and argentiferous galena were made in 1926.

"The great activity in Northwestern Quebec, due to the discovery of large bodies of copper sulphide, in some cases carrying gold, has stimulated search for similar deposits west of the boundary line. Finds of copper ore have been made in Ben Nevis and Clifford Townships, and in Munro some thirteen feet of massive copper-zinc-lead ore has been cleared of the snow. In Jamieson and Robb Townships, too, west of Porcupine, massive charcopyrite was discovered last year, and extensive claim-staking is the order of the day.

"Never were the prospectors of Ontario, on whose activities rests the structure of the mining industry, more energetic, keen or sanguine. Never were the hopes of the mining community at higher pitch. Never was it more apparent that the basic industry of mining is facing a period of expansion and prosperity. Wealth won from the ground is new wealth, and no individual is the poorer for its production. On the contrary, the wheels of trade and commerce revolve with greater rapidity, goods and manufactures find larger sale, agriculture and labour are benefited, colonization is quickened, and the whole community responds to the energizing urge which emanates from a thriving, prosperous mining industry."

## CHAPTER VI.

### THE PROVINCIAL SECRETARIAT

An address from the Legislative Assembly of Upper Canada to the Right Honourable Charles Poulett Thomson, Lieutenant-Governor, was passed on February 8th, 1840, praying that a suitable building be provided as a temporary asylum "for the many unfortunate persons afflicted with lunacy in this Province." The address assured His Excellency that the House would make good any expense that might be incurred.

The Governor acted on this recommendation and named a Board of Commissioners, with William Botsford Jarvis as Chairman, to make the necessary arrangements. Dr. William Rees was named as Medical Superintendent. The City of Toronto had just completed a new jail; the Commissioners acquired the old one on King Street, and made shift with that from January 21st, 1841, while pressing for the early construction of a permanent asylum building. The Commissioners in their report of September 21st, 1842, said: "The number of patients within the walls of the Asylum have averaged about 36--several are either idiots or incurables, some of whom have been confined for years in the Home District jail, and were left in the building when the prisoners were removed to the new jail. Of this description of persons there are some who.....cannot be expected to derive permanent advantage from the mode of treatment pursued with maniacs. The Commissioners have with regret found themselves compelled to refuse admittance to several cases, where from the nature of the disease, or from long standing, no probable cure could have been effected; as had they not done so the Asylum would have been filled with idiots or incurables." Clearly, the authorities considered that the public responsibility for the well-being of incapables was limited to certain classes of such persons.

Of this first Asylum the Report said: "The building required cleansing, repairs, improvements and additions to render it capable of receiving patients, and from its proximity to the crowded part of the town, without a well, and having a yard of small dimensions, which yard is likely to be reduced by the protraction of a street through it, is far from meeting the wants of the Province. To remedy the want of a greater space for air and exercise, the Medical Superintendent has devised means by which those objects can be effected by planning certain recreation and other sources of amusement for the patients, and it has not infrequently happened that a patient might be seen fishing or walking on the margin of the Lake, or taking walking exercise in the country under the charge of a Keeper.... There was one case in which the operation of trephining was performed, at the request of the Medical Superintendent, with beneficial effects to the patient." The Commissioners expressed satisfaction at the words of approbation pronounced by visitors to the institution, "who witnessed the comfort and happiness enjoyed by the patients compared with the time

when they were confined in prisons or were under the injudicious management of their friends." Dr. Rees reported that the cause of the mental disease or failure was not known in 25 cases. In 15 there had been an hereditary tendency, 9 had gone insane from fanaticism, 14 from domestic affliction, but 23 were reported as abnormal by reason of drunkenness.

The estimates for 1842 contained these items:

"Lunatic Asylum at Toronto:

| | | |
|---|---|---|
| For arrears to 31st December, 1841 | | £1,625 12 3 |
| For expenses of 1842 | | 1,500 0 0 |
| | | £3,125 12 3 |
| Arrears due the Superintendent | £192 1 7 | |
| For his services in 1842 | 180 0 0 | |
| | £372 1 7 | |
| | | £3,509 13 10" (*) |

Dr. Rees was wretchedly paid and the Government declined to allow his claim for fees from paying patients, despite the fact that he was disabled by two attacks made upon him by violent maniacs. One struck him on the head with a bludgeon, another kicked him severely in the groin.

By legislation of 1839 a special assessment of ⅛ of a penny (†) in the pound had been authorized to be imposed upon all assessable property in the Province for the erection and maintenance of a Lunatic Asylum. By 1845 the tax had produced £13,508 17s 6d, which was reported by the Receiver-General as on hand. The contributions of the several districts seemed to indicate that in some instances the collections had been made with undue languor. Here is the schedule:

| | | | |
|---|---|---|---|
| Home District | £1,753 | 6s | 1d |
| Gore | 1,463 | 14 | 11 |
| Newcastle | 1,240 | 11 | 0 |
| Niagara | 1,218 | 15 | 9 |
| Johnstown | 1,047 | 3 | 7½ |
| London | 1,038 | 0 | 11 |
| Midland | 856 | 19 | 7 |
| Prince Edward | 681 | 1 | 4 |
| Western | 670 | 17 | 8 |
| Bathurst | 623 | 17 | 0½ |
| Eastern | 482 | 10 | 10 |
| Victoria | 411 | 11 | 11 |
| Talbot | 337 | 15 | 5 |
| Brock | 498 | 6 | 6 |
| Wellington | 306 | 11 | 0 |
| Ottawa | 283 | 4 | 5 |
| Dalhousie | 192 | 17 | 10½ |
| Huron | 145 | 5 | 3 |
| Colborne | 137 | 10 | 4 |
| Simcoe | 118 | 16 | 1 |

*The expenditure on public institutions of Ontario at present is more than $3,000,000 annually.

†Reduced in 1850 to 6d. in the £100.

Dr. Rees was succeeded by Dr. Telfer, and he in turn by Dr. Geo. H. Park. In the autumn of 1848 a sharp difference of opinion arose between Dr. Park and the Commissioners, who at this time were Robert Sympson Jameson, Dr. Wm. R. Beaumont, Wm. Cawthra, John Ewart, John Eastwood, Rev. H. J. Grasett, Dr. W. C. Gwynne, Rev. J. J. Hay, Wm. Botsford Jarvis, Wm. Moore Kelly, Martin J. O'Beirne, and Rev. John Roaf. Dr. Park found his authority superseded or crossed by single members of the Board; when he dismissed a man, the offender came back on the instructions of one or other of the Commissioners. The quarrel grew bitter. The Board complained to the Provincial Secretary that a man engaged by the Superintendent had been dismissed previously from the General Hospital "for abstracting a corpse and substituting therefor in the coffin some billets of firewood." In answer Dr. Park made this statement: "When the Superintendent entered upon his duties he found the Institution in a very bad state, there was not clothing enough of any or all kinds for a change; there were several patients that had been naked for several months, constantly confined in cells, or, if quiet, lying on the floor of the attic ward, a place where from sixty to seventy patients were constantly kept in a very filthy condition. The stench of this ward was scarcely bearable. The other wards were not quite so bad, but there was no part of the whole establishment but what was dirty, and otherwise badly attended to." How much of this description was due to spleen cannot be determined. The outcome of the quarrel was that Dr. Park was dismissed by the Lieutenant-Governor on December 26th, 1848, and the name of Dr. Primrose was submitted to the Board as that of a suitable person for temporary employment until the completion of the Permanent Asylum. Meantime the accommodation in the old jail had been found insufficient and some patients had been housed in the Eastern wing of the Parliament Buildings (*) at that time unused, Montreal being the capital of United Canada.

The permanent Asylum at Toronto was built in 1849, John G. Howard being the architect. The cost was £56,574 13s 11d, of which £44,022 1s 1d was for the building. The land—fifty acres—was a grant from the Ordnance Department, as it was a part of the original Garrison Common, a military reserve. The Asylum was still administered by a Commissioner; Dr. John Scott was the first superintendent. Legislation had been passed before this period forbidding the maintenance of private lunatic asylums.

In 1854 the need for more room was so pressing that the erection of East and West wings was recommended, though the work was not done for some time. A few of the criminally insane were sent to Kingston where they were housed at Rockwood—at first in the basement of the Penitentiary Building, later in a separate building. In 1859 the barracks

*Another part of the Parliament Buildings was occupied by the classes of King's College, the original College Building erected in 1842 in Queen's Park, on the site of the East wing of the present Parliament Buildings, being used as a students' residence. For a time after the erection of the University Building in 1858, King's College was occupied by the Government as an Asylum supplementary to the Provincial institution.

within the historic Fort Malden at Amherstberg were taken over for the accommodation of "incurable and quiet insane patients" from the Toronto Asylum, and still another branch of the Toronto institution was established at Orillia during the year 1861.

Thus at Confederation the Provincial Asylum consisted of the main building and four branches, at Rockwood, Malden and Orillia, and in Toronto where the old King's College building was still in use. Recommendations had been made by various experts that the Branch system was capable of improvement, and there had been some talk of establishing a large Asylum in the heart of Western Ontario. The first Government of Ontario determined that London should be the site of the new institution, and at the same time sought to acquire the Rockwood institution from the Federal Government to serve the needs of Eastern Ontario. The London Asylum was occupied for the first time on November 18th, 1870; 119 patients were brought from Orillia, 244 from Malden, and there were 135 admissions from the district, so that the new institution began with a population of 498.

Dr. Joseph Workman, for many years Superintendent of the Toronto Institution, made in 1872 a covert criticism of the quality of meat supplied by the contractors for the patients. The paragraph appears in his annual Report: "I have long been of opinion from the observance of the bad teeth of many of our patients, and from the extreme paucity of my own, that fresh meat less resisting than that supplied by contracting butchers would be a great boon to this house. Many of the Asylums in America and England have their own slaughtering establishments. If it could be arranged here, a good deal of grumbling might be averted. It could make no difference to the animals, therefore I see no reason why the experiment might not be made."

The London Asylum for many years had the advantage of a Superintendent whose intellectual equipment was superb. Dr. Bucke was not only a specialist in Psychiatrics, but was the author of at least one remarkable work—*Cosmic Consciousness,* an essay in speculative Philosophy. From the beginning of Government activity in the care of the mentally deficient, the Province has been fortunate in its Superintendents. All the institutions have been well-managed from the medical viewpoint, and gradually the financial administration has been improved—coincident with the decay of political patronage—until today it is most creditable to the administrators, the Inspectors and the Department. A summary of the present condition of the Asylums, or Hospitals as they are now called, is found in a recent report by the chief Inspector of the Department. He declared that during the year 1921 — the census year — the total number of patients treated was 9,495 and the total number of patients in residence on October 31st, of that year was 7,967, an increase over 1920 of 278 patients. He warned against too close a dependence upon comparative statistics in form-

ing a judgment concerning the increase of insanity. Thirty years ago, he said, to be an inmate of the Provincial Asylum carried with it a definite stigma. With the introduction of hospital methods part of that reproach had been removed and in consequence the hospitals had become more popular. This fact accounted in part for the increased percentage of patients as compared with the limited increase in the general population. He continued: "In the thirty years, from 1891 to 1921 the population of the Province increased 819,341 or 38 per cent. In the same period the insane population of Ontario increased by 4,688 or 135 per cent. In forty States of the American Union the insane population increased 468 per cent. and the general population by 110.8 per cent. Statistics may convey a meaning or otherwise to the general reader but to students of social conditions these figures must have but one effect, and that is to show the decay of citizenship and the failure of Democracy to keep the people in a sane condition. The causes are deep and no superficial remedies will remove them. The National Council for Mental Hygiene in the United States calls attention to the conditions that tend to mental and moral collapse. Among these may be mentioned the mania for wealth, the craze for publicity, the loss of confidence in spiritual leadership, the wild enthusiasm out of all proportion to the importance of the matter in hand, especially in regard to sport; the mania for dancing and the disregard of the Golden Rule as a working principle of life. Any student of social questions can bear witness to the fact that similar conditions in a lesser degree exist in Canada. The strain of modern life is felt by the strongest and best balanced temperament. It is not remarkable therefore to find that the part of the population who lack this endowment are forced to yield to the grim pressure of circumstances and find their only safety in a public institution."

Taking 7,689 as the Hospital population, the number of deaths was about 8.2 per cent.; the number of patients who recovered was about 4.3 per cent., and the number who were discharged as in an improved condition 5.9 per cent. Out of 2,268 admissions in 1921, 1,448 were born in Canada, 326 in England, 78 in Ireland and 89 in Scotland, a total of 1,941; so that only 327 came from among the foreign population. If our social conditions are wrong it appears that the English-speaking folk are paying the penalty.

The Hospital for the Insane at Whitby is said to be one of the most complete and modern on the Continent. There are three groups of buildings, the Hospital centre with four buildings, accommodating about 400, and two Cottage centres. The division separates the patients requiring constant medical attention and nursing from those requiring only general medical supervision.

There are 110 public hospitals in the Province of Ontario, including nine sanitoria for the treatment of tuberculosis. The three largest are the General Hospital of Toronto with 730 beds, the City Hospital of Hamil-



THE ONTARIO HOSPITAL, LONDON

ton with 500 beds, and the General of London with 400 beds. The total hospital accommodation in Ontario is 10,662 beds and the aggregate number of persons under treatment during the year 1922 was 119,653. The deaths were 6,307.

The population of the 41 County Houses of Refuge on October 1st, 1922, was 3,059. The children cared for in the 30 orphanages numbered 4,696.

J. B. McGann, a teacher, organized in 1858 a school for the Deaf and Dumb in Toronto, and conducted it as a private enterprise with variable success until 1864 when he moved to Hamilton, and continued the work. He was ardent and untiring and his merits were recognized by the Government of Canada, in making him an annual grant of $1,000. The school was carried on in rented premises and some seventy pupils were under his care. In 1865 the total expenditure was $7,271.50. Mr. McGann's enquiries had shown him that in the Province at that time there were 682 deaf mutes of whom 225 were of school age. In view of these figures the necessity of a proper Provincial Institute for the care of these afflicted children was apparent.

Before Confederation the Government of Canada requested Dr. Egerton Ryerson to make a Report on the Education of the Blind and the Deaf and Dumb. With his usual diligence he visited all the more important institutions for such purposes in the United States and Europe, digested their reports, and prepared his material. The constitutional changes made Education distinctly a Provincial Affair, and therefore the prepared Report was never presented at Ottawa. But in 1868 the Provincial Government desired information on the subject and turned to the Chief Superintendent of Education. He responded with a pamphlet of twenty-four pages, (*) which gave an admirable summary of the facts relating to the subject and laid down a form of procedure.

The public was surprised when the Administration announced that the Provincial School would be established at Belleville rather than at Hamilton, where a nucleus was already in existence. Undoubtedly political considerations had something to do with the choice of site, for Hamilton sent to the Legislature a strong opponent of the Sandfield Macdonald Ministry, and the Premier was open and frank enough to say that he preferred to give favours to his friends rather than to his enemies. Yet politics was not the only reason. The site offered at Belleville was ideal—86 acres of fertile soil, in the middle of a rich, farming country, and convenient both to the railway and the lake. It was acquired for the modest price of $4,900, suitable buildings were erected and possession was taken towards the end of May, 1869, Dr. W. J. Palmer who had been superintendent of a similar institution in Raleigh, N.C., was appointed Principal and entered upon his duties on October 18th, 1870. The regulations adopted by the Govern-

*Printed in Hodgins's "Documentary History of Education in Upper Canada," Vol. 21.

ment provided that deaf-mutes accepted as pupils should be between the ages of seven and nineteen. Parents or guardians who were unable to pay the board and tuition of the mute children under their control could apply to the Municipality in which they were residents for aid; and indigent orphans were to be treated at Government expense. All others would receive free tuition, but would be responsible for their board at moderate rates.

The formal opening of the Institution took place on October 20th, 1870, in the presence of the Lieutenant-Governor, the Attorney-General, the Provincial Treasurer and other distinguished personages. There were 70 pupils, of whom 39 were supported by parents or friends; within a year the number had grown to 100. The Principal had chosen his staff, his first assistant was Mr. McGann. Others were D. R. Coleman, M.A., formerly of Raleigh; S. T. Green, B.A., formerly of the Deaf Mute College, Washington, D. C.,; James Watson and Mrs. J. G. Terrill, who had been teachers in Mr. McGann's school, and Miss Annie Perry of Cobourg. George Ackerman taught drawing and P. F. Canniff was manager of the farm. The railways furnished free return tickets to the pupils when vacation came and they were ready to go to their homes. A glimpse of one of the reasons which may have dictated the Government's choice of site is found in the Principal's first report: "Deaf mutes cannot, except in rare instances, enter any of the learned professions, and comparatively few develop that peculiar talent necessary to enable them to engage in any of the fine arts as a means of support after leaving school. There is in Belleville a notable exception to this rule. I allude to the Messrs. MacLellan, Barristers, Attorneys-at-Law, etc. They were educated at the Institution for the Deaf and Dumb at Glasgow, Scotland, of which Mr. Duncan Anderson was Principal for nearly fifty years. They have been for several years engaged in the practice of the profession of Law with marked success. Under these circumstances, doubtless the people of Belleville were sympathetic towards the Institution and its work from the beginning — as they are still. In 1904 the school was transferred to the jurisdiction of the Minister of Education.

The action of the Government in making provision for the deaf and dumb was only part of a general scheme. On April 1st, 1872, the Institute for the Blind at Brantford was opened with thirty-six pupils. E. Stone Wiggins was the Principal and his assistants were Miss Mary D. Tyrrell, Miss Mary E. Browne and T. M. Brown. From the beginning this Institution was soundly based on the best practice and its record for fifty years has been most commendable.

During 1833 and 1834 the Kingston Penitentiary was established by the Government of Upper Canada, the construction being in the hands of John Macaulay, Hugh C. Thomson and Henry Smith as Government Commissioners. The first Warden's Report, presented to Parliament in 1836, announced the opening of the prison on June 1st, 1835, with six

convicts. By October fifty-five were incarcerated, three of whom were women. Early objection was made in Kingston and in Toronto to the use of convict labour for the making of merchantable wares, and a petition was sent to Parliament urging that the prisoners should be employed in breaking stone.

The penitentiary was built for offenders who had been sentenced to two years or more. All shorter sentences throughout the Province were worked out in the County jails, and in many cases the conditions as to discipline and reformative practice were unsatisfactory. Before Confederation these conditions had been the subject of frequent protest to Parliament by Grand Juries, Judges and private individuals, and some had recommended the establishment of central or district prisons, which could be managed more scientifically. After the Province of Ontario was set up in 1867, the John Sandfield Macdonald Government considered the question and in 1868 presented a bill to authorize the construction of several central prisons. The Premier planned to build three, but thought it possible that one might be required for every ten or twelve counties. Strong opposition was offered to the proposal by Hon. Edward Blake and his following, and after debate the bill was withdrawn. In substitution, an Act was passed authorizing the building of one Central Prison in Toronto. The institution was completed and opened on June 1st, 1874. One hundred and forty-seven short-term prisoners had been transferred to it from the various County jails and the labour of these men was contracted to the Canada Car Comapny, at 50 cents per day, per man. The Company found the labour unprofitable, and neglected to pay for it. The Government was just as lax in collection. In 1878 the Government named a Commission of inquiry; its findings were that the labour was not worth more than 37 cents per day, and that the Car Company should meet its obligations on that basis. The amount of the debt, so calculated, was $46,000. The Company failed and the Government took over the machinery and plant—by no means a profitable transaction. Other contracts followed at variable prices and for varied work, but always to the disadvantage of the Province. From 1903 to 1905 the Government operated one of the shops itself and discovered that the average return per annum for the prison labourer was three-fifths of one cent per man, per ten hour day!

The steady objection of free labour to the competition of prisons in industrial production, and the apparent inability to train short-term prisoners to any profitable efficiency in technical work led the Hon. W. J. Hanna, Provincial Secretary in the Whitney Government, to the adoption of a new and radical policy. He announced in the House in 1907 that the removal of the prison to the country was under consideration and at his recommendation the House appointed a Commission of Inquiry to study the whole question of Prison Labour. The Commissioner reported in 1908 (1) That the prison in Toronto be sold; (2) that the Government acquire several hundred acres of land and construct a Re-

formatory where agricultural work could be provided for the prisoners.

Accordingly the Government bought 830 acres in the Township of Guelph, a tract of land admirably situated. The river Speed runs through it and an abundant supply of limestone is convenient. Also there are great stretches of the finest arable land. Possession of the farm was taken in April, 1910, when fourteen prisoners and two officers were quartered in one of the farm houses. The construction of the building was carried on by the Department with the labour of the inmates, and for the first time in this country convicted offenders against the laws were treated as human beings instead of as dangerous animals. Dr. J. T. Gilmour, Superintendent of Central Prison, reported on November 1st, 1910, as follows: "The maximum population at the Prison Farm was one hundred and eighty, and this was maintained for several weeks. The striking feature of this departure was the unprecedented amount of liberty given the prisoners, and the results are most satisfactory. The industry and conduct of the men have been most gratifying and with very few exceptions they do their best to show that they are worthy of the confidence reposed in them. The prisoners on the Prison Farm were all transferred from the Central Prison where they had an experience of cell-life, and were thus able to contrast and appreciate the difference between a cellular prison and God's out-of-doors. During the long summer evenings in place of pining in a cell, the men were playing baseball, pitching quoits, or were engaged in other healthful and harmless amusement. There is an indefinable something in outdoor treatment that makes men better, imparting to them health, courage and industry. The Hon., the Provincial Secretary's deep interest in this new movement is too well-known to require a reference from me; suffice it to say that he gives of his best to the work. I cannot close my report without referring to the work done by Mr. S. A. Armstrong, Assistant Provincial Secretary, whose indefatigable energies and technical skill have contributed very largely to the successful building operations that have been carried on."

It is not usual for a Government officer in a subordinate position to compliment his superiors, but Dr. Gilmour was a bold man and a good man. Precedent did not prevent him from expressing his enthusiastic approval of a policy which made Penology and applied Christianity mutually complementary, and removed society one step further from legalized barbarity.

It has been laid down as a policy of the Provincial Secretary's Department that so far as possible all goods consumed in the Public Institutions should be manufactured by the industries of the Prison Farm or Reformatory. For that reason a woollen mill, a machine shop, a broom shop, a tailor shop, a woodworking shop, a creamery, a lime kiln, a hydrator, a plaster plant, stone crusher, abbatoir and clay products plant have been set up and are operated by the labour of the Guelph prisoners under expert supervision.

Considering that there are eleven hospitals for the insane in the Province and that the population of these and other institutions under the Department is almost ten thousand, the quantity of supplies required is considerable. The Reformatory industries manufacture blankets, tweeds and similar products, hospital beds and tables of enamelled iron, clothing and shoes, sash and doors for new buildings, lime and plaster for construction. The food products of the farm from fresh meat to butter are shipped to the various institutions.

During the war the Guelph Reformatory was handed over to the Department of Soldiers' Civil Re-establishment, and the inmates were cared for at the Burwash Farm near Sudbury where 30,000 acres of land afford an infinite opportunity for out-of-door work. Now the Guelph property is again in the care of the Provincial Secretary and the policy adopted at its establishment is being followed both there and at Burwash.

During the war of 1812-14 the Imperial Government established a military and naval station at Penetanguishene, and despite the remoteness of the place erected barracks and other buildings. The means of access to it were by way of Yonge Street from Lake Ontario to Lake Simcoe, thence by Lake Couchiching and the Severn River to Georgian Bay, portaging of course at Swift Rapids and at other points along that wild, and beautiful river. At Holland Landing today lies a great anchor, suitable for a line of battleship. The story goes that it was being conveyed to Drummond Island by way of Penetanguishene in 1815, but was abandoned when the teamsters learned that the war was over. The property at Penetanguishene lay idle and deserted until 1855 when it was transferred by the Imperial authorities to the Government of Canada.

The problem of the delinquent child had been discussed freely throughout the country and much criticism had been heard of the practice of sending boys of tender age into the jails where they came in contact with older criminals and were too often confirmed in vicious practices. The Government therefore resolved to make use of its Penetanguishene property by establishing there a Reformatory for boys. The barracks were repaired and the Government erected a central building and rear wing of cut stone roofed with tin also a frame workship enclosed by a board fence. By 1867 the expenditure on the property had been about $100,000. There were 120 cells arched with brick, each being nine feet long, three feet wide and six-and-one-half feet high. Consider this accommodation for boys as young as nine years, and then wag your head approvingly at the Good Old Times! The place was a prison rather than a reformatory, and if the cells did not prove it, the iron doors locked into stone jambs gave corroboration. Says the Government Report of 1861: "One prisoner was sent to the Penitentiary, one died a month after admission of a disorder under which he was suffering on his arrival at the Institution. Eight were liberated on the expiration of their sentences. There was no escape." Naturally, not! Of the eighty boys imprisoned at the end

of 1860, twenty-nine were between nine and fifteen years of age, twenty-six between sixteen and nineteen, five between twenty and twenty-one.

This interesting property came into the hands of the Province at Confederation and for a time was managed in the same old way. In 1880 the Legislature passed an Act tending to mitigate the rigours of the place, and the Government determined to replace cells with dormitories. "Such changes," wrote the Superintendent in 1880, "generally evoke a considerable amount of public attention and some hostility and censorious criticism. We cannot plead exemption from this too general rule. Yet we are satisfied that by the exercise of patience in procedure, and calm determination we have surmounted many obstacles and disarmed hostility."

The report for 1881 mentioned the ending of the contract labour system whereby the boys had been compelled to make lucifer matches and wooden ware—work far beyond their strength. "Instead of a short hour's daily schooling to each boy, all now have the advantage of being daily four hours in the hands of the school teachers. One point has been gained during the year. Our boys are cheerful, bright and hopeful. One cannot find a sullen look or a desponding face in the ranks. There is no gloomy moping to be seen here now. Orders are obeyed with a frank readiness that gives great promise."

Under this more civilized system of management the work of the Reformatory continued until 1892 when the Government determined to follow suggestions made by the Childrens' Aid Society for a re-orientation of the law. Accordingly on May 27th, 1893, the Legislature passed "An Act for the Prevention of Cruelty to, and better Protection of Children." By this law magistrates were authorized to inflict drastic penalties on persons ill-treating or neglecting children, sending them out to beg, or permitting them to perform in public for gain. Power was given to the judge in any such cases to take the child out of the custody of the offenders and hand it over either to some suitable person or to a Children's Aid Society, which was authorized to act *in loco parentis*. The Government took power to name a Superintendent of Neglected and Dependent Children whose duty should be to organize Childrens' Aid Societies, to inspect industrial schools and temporary homes or shelters, to place children in foster homes and exercise supervision over them. Mr. J. J. Kelso was named to this office. The first result of his work was the abolition of the Penetanguishene Reformatory; the buildings were used to house the mentally afflicted.

The Legislature passed in 1883 The Industrial Schools Act. According to this Act the Public or Separate School Board of any city or town might establish, control and manage an Industrial School. Notice of such establishment was to be sent to the Provincial Secretary's Department, and the Minister, if satisfied, might certify that the school was a fit and proper one.

It was provided that any Board of School Trustees might delegate its powers under the Act to a philanthropic society provided that the Chair-

man and Secretary of the Board and the Chief School Inspector were members of the Society's Board of Management. The Board of Trustees was to provide the teachers.

Any child without salutary parental control or exposed to circumstances likely to lead him or her into an idle or dissolute life, or adjudged guilty of petty crime might be committed by a Judge to an industrial school. A "child" under the Act was one apparently or actually under sixteen years of age. Provision was to be made for religious instruction. The Province contributed 50c a day for each pupil from the organized districts of Ontario, and 75c each for those from unorganized districts. Ex-Mayor W. H. Howland, of Toronto, was President of the Voluntary Association, which established the Victoria Industrial School at Mimico in 1885. The cost was met by public subscription; one of the benefactors contributed $10,000. The Province made a grant of eight acres of land and leased at a nominal rental forty-two acres besides. The first building known as "Cottage No. 5" was formally opened by Lord Lansdowne in 1887. In 1889 "Cottage No. 3" was built. In 1892 after the Penetanguishene Reformatory for boys was closed, another cottage was added. There are now six cottages and sixty acres of land—the last ten having been acquired recently. The land is virtually all garden, intensively cultivated. It is valued today at $40,000, the buildings and furniture at $300,000. The total assets stand at about $400,000, and the liabilities approximate $50,000.

The Alexandra Industrial School for girls in East Toronto was established in 1891 by the same Association. The site comprises nearly fifteen acres, and the buildings are valued at $80,000. Besides ordinary school work, the girls are trained in laundry work, cooking, sewing, housekeeping, dressmaking, millinery, gardening and stenography. The Board of Management of the Industrial Schools of Toronto include five aldermen of the City of Toronto, two trustees of the Toronto Board of Education, and the Chief Public School Inspector, and a representative of the Provincial Department of Education. None of the members is paid anything for his services, not even the expenses incurred in attending the meetings. A Board of Parole meets monthly at the school and hears all applications for release under supervision.

The teachers are appointed and paid by the Toronto Board of Education, and the salary list amounts to about $12,500 per annum. Half the day is devoted to academic work; the other half, with some recreation, is spent in learning some useful occupation; such as carpentry, tailoring, shoemaking, printing, baking and, farming. All the clothing, shoes, printing, vegetables and bread required at the school are furnished by the work of the boys. The average age of the pupils is 13 years, but only twenty per cent. of the population averaging 250 is from the city of Toronto. Most of the committals from the Juvenile Court are for repeated cases of theft. The records show that from seventy to seventy-five per cent. of the boys and girls of the schools profit by their instruction and training. Many boys

formerly at the school are holding responsible positions and not a few are carrying on successful business enterprises of their own.

St. John's and St. Mary's Industrial Schools are Roman Catholic institutions for boys and girls respectively conducted similarly to the Victoria and Alexandra schools and with similar success. Plans are completed for the establishment by the Province of an Industrial School at Bowmanville, which is expected to take the highest rank among the institutions of the Continent.

In default of legal heirs to the estate of Andrew Mercer, who died soon after Confederation, his property came to the Crown. The Judicial Committee of the Privy Council determined that "the Crown" in this and similar cases meant the Government of the Province of Ontario, rather than the Government of Canada. Premier Mowat and his colleagues determined, on the advice of the Inspector of Asylums and Prisons, to use the Mercer funds to erect at Toronto a Reformatory for Women. It was opened in August, 1880, at a cost of approximately $100,000, and has been a useful institution.

Hon. M. C. Cameron, the first Provincial Secretary, made an inspection of the Registry offices, soon after he took office, and his report of 1868 protested against a carelessness which had rendered many records insecure. "In no instance", he wrote, "have I found any desire to provide for the preservation of the contents of Registry Offices from any other damage than that arising from fire. The idea does not seem to have been entertained.....that it is necessary to provide against destruction by moisture, dampness, fraud and other causes. The public mind has not been awakened to the alarming fact that the destruction of a single Registry office may not only work incalculable injury to the inhabitants of the locality in which it may be situated, but that parties residing at a distance, possibly entirely dependent upon the investment made upon securities therein deposited may be seriously injured if not entirely ruined thereby. . . These considerations with others have greatly weighed with me, and doubtless in some cases considerable dissatisfaction will for a time prevail that in the discharge of my duty I have felt it necessary to be so particular and exacting on these points. I would almost venture to assert that there are not two Registry Offices in the Province, which are secure against burglars. I mention the fact of the Registry Office for Essex having been entered and many documents removed from it, and attempted to be destroyed; other offices have also been entered by parties with criminal intentions."

Vital statistics were collected by the Province for the first time in 1869. The record of deaths mentioned Roger Grier of the Township of Montague, Lanark County, who had been 100 years old; and Sarah Macdonald of West Zorra, Oxford Co., who had been 100. A brief examination of the returns show the incidence of infant mortality. Out of 2,776 deaths within six months, 875 were of children under three years of age;

that is, 31.5%. The total number of births in the same period was 8,416. Nearly 10% of the babies died.

The regulation of the drink traffic has always been peculiarly difficult in North America. There are some who say that the dry, sunny air is itself a stimulant, spurring the people to greater intensity of action—even the action of drinking. Apparently also visible toxic effects are produced more quickly from an equal amount of liquor than in England. Bear in mind also that the pioneers, whether soldiers or immigrants, were men of great activity, capable of long periods of sustained toil. They were lonely and not too comfortable in their homes. Whatever social pleasures they had, at the logging bee or the "raising" began and ended with whiskey, the cheapest and most efficient of strong waters. Stills were abundant and only a select few were under license. The very isolation of the settlements tended towards carelessness in the observance of the law. There were two extremes in recreation, one being excessive drinking and fighting after the rough-and-tumble or Virginia style, the other being an intense religiosity. An early Toronto newspaper, *The Examiner,* describes a fight in which the contestants strove manfully to gouge out each others' eyes. At the other end of the scale was the Methodist camp-meeting where a more spiritual form of intoxication or hypnosis was prevalent. One reads of men falling down helpless under the preaching of the fiery itinerants, voluble in their depiction of lost souls in torment. Yet these early Puritan prophets were great in faith, in courage, and in spirit, and their toilsome ministrations did much to create a better moral tone in the community. They demanded of their converts total abstinence from all manner of liquor and the pledge was made a condition of membership in the Methodist Societies. Thus there grew up in the earliest days a body of opinion surely hostile towards "the Trade" and intolerant of moderation. Saint Paul's warning with respect to meat offered to idols was applied to intoxicating liquor — as "the unclean thing," and the quotation: "touch not, taste not, handle not," was accepted as a rule of conduct. Clergymen of non-Methodist views, coming from the Old Country, never understood this attitude and often resented it. Rev. Dr. Proudfoot of the London district expressed himself vigourously in his Diary on the subject of total abstinence as a rule of life.

Yet it was a country of extremes. A tavern in Upper Canada was a centre of disorder, riot and often crime; it lacked the atmosphere of the quiet English rural public house and one cannot wonder that the repentant sinner walking warily in the narrow way should show an ecstatic hatred of Boniface and all his misguided votaries.

William Jarvis was the first Provincial Secretary and isued the licenses authorized by Lieutenant-Governor John Graves Simcoe in 1792. From that time onward the administration of liquor laws has been indirectly or directly in the charge of the Secretariat. It is a task not to be counted as grateful, although no one would say that it was dull. The remarkable

change in social customs with respect to the use of wines and liquors, as between 1800 and 1924, was progressive. Each generation was more temperate than the one preceding. Accordingly there was a progressive change in the attitude of the public mind towards the manner of regulating the traffic. Generally the law has been honoured in the breach—as all liquor laws have been; even in 1800 the Parliament of Upper Canada made provision for the summary conviction of persons selling without a license. By 1816 the income from licenses on shops, taverns and stills was approximately £5,000.

The difficulty of compelling licensed hotel-keepers to "keep hotel" was marked in Toronto in 1841. A special committee of the City Council was named to inquire into the accommodation for travellers and reported that twenty-one inns had no stables, that eleven had not a single spare room, and that fifteen had not even a spare bed. The conditions were not peculiar to Toronto. Every community had its quota of persons who were more concerned to sell liquor than to accommodate travellers. *The Toronto Examiner* urged in 1850 the nomination of a magistrate in whose hands the licensing power would rest and continued: "Under the wise management of such a magistrate the nuisance of from 600 to 700 taverns and grog-shops —those nurseries of wretchedness, disease and crime—would be abated." The actual licenses issued were for 152 taverns and 206 beer-shops, so unlicensed shops must have been plentiful if *The Examiner's* figures even approximated to accuracy. In 1859 eighty-one offenders were arrested in Toronto charged with illegal selling of liquor.

After the conquest of Canada in 1759 the domestic laws enacted by the French administration were continued until circumstances compelled their revision. The first British law dealing with the liquor traffic in Canada was an Imperial Act of 1774 which repealed the old French duties and provided that after April 5th, 1775, the duty on spirits imported to the Province of Quebec should be 3d. a gallon if manufactured in Great Britain, 6d. if from the West Indies, 9d. if manufactured in the other American Colonies, and 10d. if of foreign origin. The Act specified that any person keeping a house of public entertainment, or retailing wine, brandy, rum or any other spirituous liquors in the Province should pay a fee of £1 16s. sterling to the Receiver-General for a license; to be issued in the discretion of the Governor, Lieutenant-Governor or Commander-in-Chief. A penalty of £10 was fixed for selling without a license, half to go to the informer.

The first legislation in Upper Canada with respect to liquors appears in Chapter 8 of the Statutes of the First Session of the first Parliament; 1792; an Act authorizing the building of jails and court houses. It provided that no license should be granted for selling liquors within the jails, and imposed a penalty on jailers, keepers, or officers who should suffer any liquors to be sold, used, lent or given away within the prisons. In 1793 the Provincial Parliament, in order to secure money to pay the salaries of the civic officials, authorized the Governor, Lieutenant-Governor or per-

son administering the Government, through the Provincial Secretary, to demand 20s. over and above the £1 16s. required under the Imperial Act, for a license to sell liquor by retail. In addition the licensee was liable for 5s. for clerks' fees. Thus the total cost of a tavern license was about $14 a year.

In 1794 any person distilling liquor *for sale* was made subject to an Act demanding a duty of 1s. 3d. for every gallon of the still's capacity. The license was to be granted for a still under ten gallons. Apparently the man who distilled only for his own use was free to "carry on," but no retail license-holder was permitted to manufacture spirits. Difficulties had arisen, it appears, by reason of illegal selling by retail license-holders as well as others, and in this same year it was enacted that after March 20th, 1795, no license should be granted to any person to keep an inn or public-house unless he should first have obtained a certificate of fitness from the Magistrate of the division in which he lived. This certificate was not to issue until the applicant produced a testimonial under the hands of the parson and church wardens, or of four reputable and substantal house-holders, to the effect that he was a person of "good family, sober life and conversation, and that he had taken the oath of allegiance to the King." Illegal traffic in liquor was already a nuisance, for a law of 1796 provided that the penalty of £20 for selling without a license might be levied on the offender's goods and chattels.

Parliament in 1801 passed an Act prohibiting the sale of liquor within the Moravian Indian settlement on the Thames, and twelve years later the sale to any Indians whatever was forbidden. A war measure of particular interest, in view of the experience of many nations in the Great War of 1914-1918, was passed on March 13th, 1813. Authority was given to the Governor and his Executive to forbid the export of grain and provisions, and to prohibit the consumption of grain for the distilling of strong waters. Any offender on conviction would find his still forfeited and would be liable to a fine equal to thrice its value. Tavern license fees were increased in 1814 by $20 "to meet in some measure the expenditure occasioned by the war," and two years later innkeepers were required to provide an enclosed yard or shed for the accommodation of travellers' carriages or sleighs.

In 1823 appeared the first legislation to regulate the sale of beer, ale and cider and to license all houses. The fee was to be from ten to forty shillings, according to the number of dwelling houses within one mile of the ale house. Still the laws were broken. In 1827 the power of granting licenses was delegated to the magistrates sitting in quarter sessions whose knowledge of local conditions and whose acquaintance with applicants presumably was greater than that of the Provincial Secretary.

In 1828 the first temperance societies of Ontario were formed, one in the township of Bastard by Dr. Schofield, and one in Brockville, under the inspiration of a visiting clergyman, Rev. Mr. Christmas, of the Ameri-

can Presbyterian Church, Montreal. He had previously formed the Montreal Society for the Promotion of Temperance. It is not known which of these two was first in point of time. According to Rev. Wm. Scott, writing in 1851, the Bastard Society was organized on June 10th, 1828, the day following the formation of the Montreal Society. Rev. Mr. Christmas is supposed to have gone to Brockville from Montreal, but Senator Bella Flint declared that the Brockville Society was formed in June or July, 1827, so that there is a reasonable doubt. The pledge taken was not one demanding total abstinence, a medicinal loophole was left.

In 1831 a temperance society was organized in Toronto under the leadership of Jesse Ketchum. Dr. Stoyell was the President, and was succeeded in 1832 by Dr. John Rolph. The first total abstinence society was formed at St. Catharines on June 15, 1835; by 1840 there were thirteen which sent delegates to a convention in Toronto. Travelling agents were sent out in 1841 by the Montreal Society, and their reports to the head office make entertaining reading: "19 November, 1841: *Zone Mills.* Held a meeting in the Schoolhouse close by a distillery and whiskey shop; the gentlemen belonging to both were present, as also about forty others. I did not know till afterwards that the two individuals above named were present. I, however, spoke particularly on the iniquity of the traffic. The distiller made an attempt to leave the place, but the other seizing his hat, he went away without it. In a little time the retailer made an attempt to go, but a lady snatched his hat and kept him in through the whole meeting. Five gave in their names to the pledge."

"23rd, *Raleigh.* Not many present. Mr. Dolson, president of the Society, in the chair. Ten names were added, one drunkard present. One local preacher refused to sign, the only one I have met with in my tour. A few other influential Methodists in the neighbourhood also refused. Cider is in the way." (*)

The tendency of a licensee to devote his whole attention to the profitable bar-trade and neglect the service of travellers was remarked in legislation of 1836. The fourth clause of the Act said that the increase of licensed inns and public-houses in the City of Toronto and other district towns or any other town or village containing twenty houses within a mile tended greatly to the increase of vice and immorality and did not effect the object desired; namely, the accommodation of the public. Accordingly, the law demanded that every applicant for a license must have at least three good beds over and above those required by his family, together with stabling for at least four horses. The fee was to be £7 10s.—about $30, and brewers were forbidden to sell beer in quantities less than three gallons. In June, 1848, at Brockville, the Sons of Temperance order was established with eighteen members. It had a rapid growth, and at its Grand Lodge meeting in 1849 over one thousand members were reported. The first Grand Officers were Wm. Boyle, Kingston; J. L. Macdonald, Gananoque; W. H.

*See Prohibition in Canada by Ruth Elizabeth Spence.

Ellerbeck, Brockville; C. Leggo, Brockville; R. Dick, Brockville; A. B. Pardee, North Augusta; J. P. Sutton, Kingston.

Under the Union of the Provinces, the law of 1853 conferred upon Muncipal Councils the right of making by-laws with reference to the retail sale of liquor, with the power of collecting fees and applying the money to municipal purposes. In 1859 a law was passed forbidding the sale of liquor between 7 o'clock on Saturday evening and 8 o'clock on Monday morning, and a year later an enactment appeared providing that no tavern license be issued unless upon petition signed by at least thirty resident municipal electors. The number of licenses to be issued was not to exceed one for every 250 residents.

Then came the Dunkin Act of 1864, which for the first time conferred upon the electors of any municipality the right to determine whether or not licenses should be issued. Thirty or more electors could demand the submission by the Council to the voters of a by-law forbidding the issue of licenses within the municipality. If it were approved by a majority vote the by-law became authoritative.

In 1853 owing to a disagreement, a portion of the "Sons of Temperance" withdrew from that Order, and meeting at Merrickville, formed the "Independent Order of Good Templars." Both these organizations demanded a total abstinence pledge, and were carried on as secret societies with grips, pass words and such alluring decorations. For many years they held a steady membership, for the lodges, particularly in rural districts, served a social community need. After the Dunkin Act was passed many temperance folk thought that the battle was won, and that they could lay down their arms. The membership in the societies waned. Indifference was followed by an awakening to the fact that the Dunkin Act was not ideal. Then came an enthusiastic and successful effort to carry the Scott Act. (*) Once more the temperance societies languished, in the belief that everything was settled. Once more they awakened to find that the battle had only begun.

There was in existence for a time, and as early as 1850, a juvenile Order called the Cadets of Temperance, which was directly in connection with the Sons of Temperance. Then was also a society called the Rechabites. In 1858 the British American Order of Good Templars was formed by dissatisfied members of the Independent Order, and after various changes of name, was absorbed in 1883 by the Royal Templars of Temperance, a benefit society which had been established in 1878.

The Women's Christian Temperance Union was organized in Ontario at Owen Sound in 1874, by Mrs. R. J. Boyle. It is the only one of the earlier Temperance organizations that has maintained its name and continued steady in its aims and objects.

Early in the year 1876 a deputation from the Women's Christian Temperance Union appeared before the Toronto City Council with three requests: (1) that the number of tavern licenses be limited to one for every 1,000

*So called because Hon. R. W. Scott introduced the Bill in the Senate.

of the population; (2) that no shop licenses be granted for premises where other goods were kept for sale; and (3) that the license fee be raised to $200. At this time there were 610 places in the city for the licensed sale of liquor. The Council was impressed by the women's arguments, for a by-law was introduced on February 28th reducing the tavern licenses to 215 and the shop-licenses to 100. The fee was raised to $200. In 1878 there were 358 arrests for unlicensed selling. In 1885 the lax administration of the liquor law became a civic issue, and the Municipal Reform Association succeeded in electing W. H. Howland as Mayor. At the end of the year in reviewing what had been done he submitted a report from the police department showing that there were not more than sixteen places, or at most eighteen, where the illegal sale of liquor was carried on as a business.

All the Temperance Societies depended mainly for their membership upon the members of the Evangelical Churches, particularly the Methodist Church, the Baptist Church, and the Salvation Army. This does not mean that temperance was not favoured by the other Christian bodies; but these denominations took an official stand in favour of total abstinence, and so were recognized openly or tacitly as the leaders of the movement. The Methodist saddle-bag preachers from the beginning of the Nineteenth Century had been stalwart opponents of the drink evil. But Archbishop Walsh, of the Roman Catholic Diocese of Toronto, habitually exacted a total abstinence pledge from children about to be confirmed—to hold good until the age of 21 years; the Rev. Father Stafford J. Lindsay, was an ardent advocate of temperance, and within the Church were two societies, the League of the Cross and the Catholic Total Abstinence Union. Likewise there were great numbers of Anglicans and Presbyterians, both clergymen and laymen, who were convinced that the abolition of the license system was a desirable reform.

The Dominion Alliance was a central executive representing all sorts of temperance societies, and directed for many years by Francis S. Spence, an able and fervent Prohibitionist. It was organized in 1878 and its programme included the following declarations:

1. That it is neither right nor politic for the State to afford legal protection and sanction to any traffic or system that tends to increase crime, to waste the national resources, to corrupt the social habits and to destroy the health and lives of the people.

2. That the history and results of past legislation in regard to the liquor traffic abundantly prove that it is impossible satisfactorily to limit or regulate a system so essentially mischievous in its tendencies.

3. That rising above sectarian and party considerations all good citizens should continue to procure an enactment prohibiting the manufacture and sale of intoxicating beverages, as affording most efficient aid in removing the appalling evil of intemperance.

To the activities of Temperance Societies and individual abstainers in Upper Canada and Ontario, may be attributed the gradual improvement in liquor laws and the betterment of public opinion, which made the legislation possible.

After Confederation the first important liquor law was the Crooks Act of 1876. It withdrew from magistrates or municipal councils the licensing-power and vested it in commissioners, three to each district, who were to be appointed by the Provincial Government. An inspector was also to be appointed for each district. The fees paid for licenses were to be divided between the Province and the Municipality, and any Municipality was at liberty to increase the fee for its own financial advantage. The number of licenses that might be granted was limited in urban or semi-urban districts according to population: one for each 250 inhabitants for the first 1,000; and one for each 400 over 1,000. That is to say, for a City of 100,000 people, it was legal to issue 252—no great restriction of generosity according to present-day views. But the municipality had the right to determine how many licenses might issue; the Act merely stated a maximum. It was within the powers of a municipality to exercise the "local option" of forbidding the issuance of any. The law retained all the most stringent provisions of previous Acts looking towards the maintenance of order and decency in taverns, and demanded that each license-holder should be actually a hotel-keeper. Under the Crooks Act the Provincial Secretary's Department resumed its former importance as the administrative authority in complete control. Some have said, with a colour of reason, that for a number of years political considerations had something to do with the exercise of this great patronage.

In 1878 the Dominion Parliament passed the Canada Temperance Act, better known as the Scott Act, by which any municipality in the Dominion might by popular vote, determine to prohibit the sale of liquor within its borders. The majority of Ontario constituencies gave approval to the Scott Act and gave it a trial. But the Federal machinery for enforcement was inadequate, and in some cases the law was a dead letter. The consequence was a revision of opinion. The movement for repeal became just as vigourous as the movement for adoption.

Nevertheless the advocates of Prohibition pressed the Provincial Government to give the restrictive legislation they desired and at last Premier Mowat agreed to submit a question to the electors. The vote was taken on Jan. 1st, 1894. The majority in favour of prohibiting "the importation, manufacture and sale as a beverage of intoxicating liquors" was 81,769, but there was, of course, a considerable number of electors who did not vote.

After the results of the plebiscite became known a deputation of temperance leaders visited the Prime Minister to urge that the will of the electors be carried out by legislation. Sir Oliver Mowat, in his reply, said: "If the decision of the Privy Council should be that the Province has the jurisdiction to pass a prohibitory liquor law, as respects the sale of intoxicating liquor, I will introduce such a bill in the following Session if I am then at the head of the Government."

The Judicial Committee of the Privy Council gave judgment on May 9th, 1896, on the constitutionality of the Local Option Law. The Law Lords declared that a provincial legislature had no power to prohibit importa-

tion, since inter-Provincial trade was a matter of Federal jurisdiction; neither could it forbid the manufacture of liquor to be exported. But the right of the Province was affirmed to prohibit any liquor selling or manufacturing transaction so carried on as to make its prohibition a purely local matter in the Province.

Meantime Sir Oliver Mowat had been succeeded as Premier by Hon. A. S. Hardy, and when the Government introduced on February 25th, 1897, an amended license bill instead of a prohibitory measure there was much bitterness of feeling in the temperance camp. Against the charge that the Government had broken the pledge of Sir Oliver Mowat, Hon. Mr. Hardy protested saying that Sir Oliver's pledge had made no reference to a license law. It dealt only with prohibition. He objected to the statement that the Ministers were false to their promises because they did not attempt to screw the License Act into a partial Prohibition Act. In this position he was supported by a letter from Sir Oliver.

In 1892 the Dominion Government had appointed a Royal Commission to investigate the effects of the liquor traffic upon all interests affected by it in Canada, to acquire information as to the measures taken in other countries to lessen, regulate, or prohibit the traffic and to judge what would be the effect of prohibitory liquor laws in Canada.

The Commissioners were Sir Joseph Hickson, of Montreal; Judge Herbert S. McDonald, of the Counties of Leeds and Grenville; E. F. Clarke, M.P.P., of Toronto, and Rev. Joseph McLeod, D.D., of Fredericton, N.B. All but Dr. McLeod were considered as personal opponents of Prohibition. and the professional temperance advocates were steadily hostile towards the Commission and all its works. The Report was what might have been expected. Dr. McLeod's minority report was more pleasing to Prohibitionists but the general effect of the Commission's work was to remove for a time from the arena of Parliament a question which had been embarrassing to both the Political Parties.

The failure of the Prohibitionists to secure their desires from the Province sent them trooping again to the Federal stronghold with a demand for a Dominion-wide plebiscite. The Government was not unwilling to make the test and the vote was taken on September 29th, 1898. Seven Provinces voted in favour of Prohibition, one voted against, but there was a popular majority of 13,925 out of 543,029 votes cast. In Ontario 154,498 voted for, and 115,284 against; a majority of 39,214. Sir Wilfrid Laurier pointed out that only 23 per cent. of the national electorate had voted in favour and therefore that the Government would not be justified in bringing down a prohibitory law.

Between 1905 and 1916 the temperance advocates in Ontario concentrated their efforts in enlarging the number of constituencies under local option. Meantime the Whitney Government strengthened the restrictions in the license law, and enforced it as it never had been enforced before; but the Administration was criticized for requiring a three-fifths vote instead

of a simple majority in the case of local-option voting. In 1905 187 municipalities had passed local option by-laws; in 1916 572 were in the "dry" class.

The adoption by the Liberal Party in 1912 of a policy favouring the immediate abolition of the bar brought the temperance question into politics in a new way; but not to the advantage of the Prohibitionists. The people preferred to support Sir James Whitney, whom they could trust, than the untried leader of a Party which had successfully avoided implementing its pledges and justifying its pious aspirations for twenty years and more. The war brought a new element into the fight. Foodstuffs were growing scarce; money was needed for the struggle; economic efficiency could not be hampered at a time when fit labour was in uniform. Accordingly in 1915 a Committee of One Hundred began an agitation for war-time Prohibition. Before the campaign for the signing of a great petition to the Legislature was completed, Sir William Hearst, who had succeeded Sir James Whitney as Premier, announced that Government action might be expected. On March 22nd, 1916, Hon. W. J. Hanna introduced the Ontario Temperance Act in the Legislature. It was passed on April 12th, and went into force on September 16th, with the understanding that after the war a vote should be taken. In 1919 a referendum was submitted and the electors pronounced strongly against repeal of the Act or against the loosening of its restrictions on the sale of wine and beer.

Whether for good or ill, the Ontario Temperance Act and the manner of its enforcement was the major political issue when the Ferguson Government took office. There were other issues of first-rate importance, such as the policy of the Hydro-Electric Power Commission, the question of co-operative marketing of farm products, the reform of financial administration, the development of the north country, but all these were pressed into a secondary position. There had been a succession of unhappy incidents in the enforcement of the liquor law. The New Freedom of young men and maidens, particularly in the upper strata of society, had revealed itself in a curiously offensive manner. Hostesses of dignity and refinement were disgusted to discover empty flasks in their cloak rooms. Parties occasionally became noisy and even rude, and more than once young people found themselves excluded from the best houses.

In less rigid *milieux* the extravagances of the Younger Set were regarded with a laughing tolerance; but everywhere the O. T. A. was a constant topic of conversation. In the cities amongst the foreign-born "bootlegging" was endemic, while many native-born, living for revenue only, found a profitable course in local and export traffic. Some young physicians, struggling to make a living, wrote prescriptions rather too freely, and the income of the Government dispensaries "for medicinal purposes" mounted in an alarming manner.

Convinced "wets" railed against the futilities of the law, and convinced "drys," perhaps considering these various manifestations as mere

propaganda by interested persons, rested on their oars. The Province had outlawed the liquor traffic, and there did not seem any likelihood of reaction from this position amongst the people at large. The Government, on the other hand, was embarrassed. The Attorney-General,. Hon. W. F. Nickle, a sturdy Prohibitionist, found the task of enforcement progressively more difficult. The Premier had announced that so long as the O. T. A. remained on the Statute Books it would be enforced without fear or favour. He added that there would be another plebiscite, for he and his colleagues had found reason to believe that the public mind was changing. Accordingly in October, 1924, two questions were submitted to the electorate:

1—Are you in favour of the continuance of the Ontario Temperance Act?

2—Are you in favour of the sale as a beverage of beer and spirituous liquors in sealed packages under Government Control?

The result of the vote instead of clarifying the situation merely added to the troubles of the Administration. The urban districts were vigourously "wet," the rural areas were just as vigourously "dry." Over all the Province the majority of 34,031 showed a marked decline in Prohibitionist sentiment. In some quarters there was loud indignation—perhaps a little forced—because the country was able to dictate to the cities, and "wet" propagandists clamoured for a measure of local option.

The Cabinet resolved on a partial concession to ease discontent, and in the Session of 1925 brought down a Bill to increase the legal strength of beer from 2.2 to 4.4 per cent. proof spirit, and to permit its sale in Beverage Rooms of standard hotels and in certain other approved premises by package. Hon. Mr. Nickle, in supporting this measure in the House, declared that unless some action of the sort were taken the O. T. A. was doomed.

Professional leaders of the Prohibitionist element of the population were severe in discussing this project of law, and prophesied in the accents of Cassandra. They held that beer of a 4.4 alcoholic content was so strong that its legal sale vitiated the spirit of the Act; an extreme position that could not fairly be justified. The Ontario Temperance Act from the beginning had permitted the manufacture and sale of standard wines made from Ontario grapes. Ports, sherries, and even champagnes—of varying quality —were available to all who could afford to buy them. Moreover, the Act did not forbid home brewing, so that it never was a Prohibitory law in the same sense as the American Volstead Act.

There was no great popular demand for this new beer; the beverage rooms brought no sudden wealth to the proprietors. Only an occasional person had any particular interest in the new privilege. The drinker of strong ales looked on 4.4 with contempt, and, of course, the "wet" propagandist was dissatisfied still. There was no decline in the sale of liquor "for medicinal purposes," and "bootlegging" continued to flourish.

The Premier in various speeches gave plain intimation that a more drastic revision of the Act was under consideration. He believed that the

time had come to get away from the irresponsibility of plebiscite law-making, and in September, 1926, he dissolved the House, naming December 1st as the day of the General Election. His manifesto declared that the Government proposed, if returned to power, to set up a system of Government Control; the establishment of shops to be subject to the consent of municipal councils. At the same time he announced the resignation of Hon. Mr. Nickle, who was unable to concur in the proposed policy.

The campaign was not mild. Mr. Sinclair, Leader of the Liberal Opposition, declared for the maintenance of the O. T. A., and lost a good portion of his French-Canadian support by that action. Mr. Raney, leading the Progressive minority, was also strongly hostile to the proposed Government policy. A body of Conservatives departed with reluctance from their Leader, finding themselves like Mr. Nickle, unwilling to remove the ban of outlawry from a traffic which, to their minds, was uncontrollable. On the other hand there was a great body of temperate and serious people who considered that the stringency of the O. T. A. was leading towards a general disrespect for all law, and who wondered if temperance could be advanced by repressive measures. There was room for honest debate on such an issue, and the controversy continued until at times it grew shrill. On Election Night the Government was returned with 75 supporters out of 112 members, and five of the Oppositionists were pledged to vote for Government Control.

## CHAPTER VII.

### SOCIAL WELFARE IN ONTARIO

Economic theorists have found many faults in the Capitalistic System of social organization, but the only convincing criticism has been this: that it has tended to exalt Property above Life. Such care has been taken to buttress the rights of the individual to own and manage property and to transmit it to his successors, that the broader rights of the community as a whole may have been overlooked. For many generations only the rich had any voice in government, but after the French Revolution the British people took warning, and "Freedom slowly broadened down from precedent to precedent."

Between 1792 and 1849 the bureaucratic rule of the early governors changed to responsible and representative government. Between 1849 and 1867 the theory was worked out in practice. Then the Provinces were set up having full jurisdiction over civil rights, and a new era, not less important, had its beginning. Ontario began its separate career with a narrow franchise, and with no particular concern for any citizens save those whose possessions gave them "a stake in the country." Slavery had been abolished, it is true, but there was no law to prevent economic pressure on the weak; no regulation to interfere with a property owner from doing as he pleased with his own. Today every man and woman of responsible age may go to the polls; a regulating Board governs the actions of private Companies engaged in public utility business; a manufacturer must safeguard the life and limb of his workers; an employer is responsible for the injury of any and all of them while they are in his service, and must pay compensation; heavy dues are laid upon the estates of deceased wealthy persons, that the public charities may be properly maintained; the Government attempts to hold the balance between Capital and Labour; parents must send their children to school; mothers who have been left as widows are paid public money to enable them to maintain their homes and give proper supervision to their children.

Social welfare legislation of this sort has not destroyed the Capitalistic System. It has merely regulated it for the public advantage. All the good inherent in the institution of Private Ownership and Property has been conserved and the more obvious ills which it develops have been corrected. For some recondite reason this Province which is temperamentally Royalist and Conservative has followed the path of practical Liberalism in seeking to make life easier for the poor, the feeble and the afflicted. But the progress at first was slow because Liberals were in office and had the cautiousness of responsibility. Conservatives being in Opposition were able joyously to charge the Government with a static Toryism when it declined to take advanced ground on such questions as manhood suffrage, and when it voted

down the suggestions of Mr. Meredith and Mr. Whitney. Thus, when the Conservatives came to power they had a background which justified them in advocating Progressive measures.

The first Ontario law relating specifically to Labour was the Apprentices and Minors Act, passed in 1871. It was an amendment of the rigid Apprentice Statute of 1852 and merely provided that any minor who was a public charge might be bound as an apprentice by a Mayor, County Judge, or Police Magistrate, acting temporarily as the guardian of the boy.

In 1873 the Legislature passed an Act approving the principle of profit sharing between masters and workmen. A profit-sharing agreement was held to be lawful, but the workers accepting such an agreement were not to have the right of interfering in the management or scrutinizing the accounts. At this same Session the Masters and Workmen Act provided for the arbitration of industrial disputes by a Board to consist of from two to ten masters and an equal number of workmen, with a Chairman, not connected with the trade, to be selected by the other members of the Board.

The Mechanics Lien Act of 1873 provided that any "mechanic, machinist, builder, miner, contractor and other person doing work upon, or furnishing materials to be used in the construction, alteration or repair of any building . . . . shall have a lien or charge for the price or value of such work, materials or machinery, upon such building and the land occupied thereby." The Act was amended from time to time as circumstances required and was consolidated in Cap. 69 of 1910, but the principle as enunciated in 1873 still holds good.

The principle of owners' or employers' liability for accidents to workers was first enunciated in 1874 in an Act to require the owners of threshing and other machines to guard against accidents. Horse-power joints, knuckles, couplings, etc., were to be provided with guards, and oil-cups near running belts were to be reached by permanent tubes of tin or other material rising above the belts. The penalty for neglect or refusal to obey the law was a fine of from one to twenty dollars. In 1881 an extension of the principle appeared in the Railway Accidents Act, which required the Railway Companies to leave a clearance of seven feet between the tops of freight cars and the lower beams of overhead bridges, to "pack" all frogs and wing-rails of switches, and to make running boards of freight-cars thirty inches wide and of sufficient thickness and strength. In case the new regulations were not obeyed the Companies in default were to be responsible for any accident that might happen; but the usefulness of the law was rendered nugatory by the last section. It provided that a railway servant should not be entitled to any right of compensation or remedy if he had known of the Company's default and had neglected to report it to a superior officer, or if the accident had been caused by his own act, omission or negligence.

The Factories Act of 1884 provided that a child, young girl or woman was not to be employed where permanent injury to health was likely. Employment of children between twelve and fourteen was forbidden; ten hours

was to be the maximum of employment per day for any child, young girl, or woman; the factory had to be kept in a sanitary condition, and was to be open to a government inspector. Heavy penalties were provided for offenders against the Act. Further amendments were made in 1885 and in 1887 the Lieutenant-Governor-in-Council issued a series of Factory Regulations for the guidance of inspectors. Three were named; James R. Brown, for the Central District; Robert Barber, for the Western; O. A. Rocque, for the Eastern. Their first Reports to the Commissioner of Public Works were for the year 1888, and revealed a condition of affairs that certainly called for improvement. In 1896 Margaret Carlyle was added to the Inspectors' staff.

In 1886 the Workmen's Compensation for Injuries Act was passed, but still the employer was fairly well guarded, for it was necessary for the plaintiff to show negligence on the part of the employer personally, or on the part of his superintending officers. Various amendments were made from time to time but in 1914 the whole basis of the Act was changed, to the advantage of the workers. The employer was presumed to be liable for all cases of injury.

Any workman except farm labourers, domestic or menial servants or other employees, out-workers (taking materials home) may receive compensation for injuries. The employer may not deduct from the wages of his workman any sum to be applied towards indemnifying the employer against liability. The scale of compensation provides, where the injury results in death, for the payment of $75 for burial expenses; $20 a month to the widow and $5 to each child, payments not to exceed $40. In cases of total disability the workman receives during his lifetime 55% of his average weekly earnings during the year anterior to the accident. If the disability is partial the compensation shall be a weekly payment for life of 55% of the difference between his former and present earnings. The settlement of compensation and the general administration of the Act is taken from the Courts and conferred upon a Workmen's Compensation Board.

By legislation of 1900 a Bureau of Labour was created "to collect, assort, systematize, and publish information and statistics relating to employment, wages and hours of labour throughout the Province,—co-operation, strikes or other labour difficulties, trades unions, the relations between labour and capital, and other subjects of interest to workingmen, as the Bureau may be able to gather." Robert Glockling was appointed Secretary. He was succeeded in 1906 by John Armstrong. The Reports of this Bureau were mainly statistical and ultimately overlapped the work of the Bureau of Statistics. Changes in the organization came in 1916 and 1917, when the name was altered to The Trades and Labour Bureau and the Report was confined strictly to relevant topics. Under the Drury Administration Hon. W. R. Rollo became Minister of Labour and the Bureau was raised to the status of a Department with Dr. Riddell as Deputy Minister.

The immense Patriotic Fund ($8,624,090) raised by popular subscrip-

tion in Ontario during the war was applied to the maintenance of soldiers' dependents. In the administration of this Fund which was in the hands of a voluntary committee, clear evidence was found favourable to the establishment of a peace-time fund by the Government which would enable mothers in narrow circumstances to maintain their homes and keep their children about them in the formative years. In many of the American States and in the Western Provinces the plan had been tried with distinct success and many social workers were convinced that the good example thus set should be followed by Ontario. Resolutions favouring the plan were sent to the Administration by the Trades and Labour Congress, the Trades and Labour Councils, the Hamilton Canadian Club, the Women's Canadian Club of Toronto, the Social Service Congress, the Social Service Councils of Canada and of Ontario, the National Council of Women, the National Executive of the Imperial Order of Daughters of the Empire, the Women's Institutes, the Young Women's Christian Association, the Women's Christian Temperance Union, various Rotary and Kiwanis Clubs, the Associated Charities of the Roman Catholic Church, the Jewish Charities, the Salvation Army, the Presbyterian, Methodist and Baptist Churches. In view of this body of opinion Sir William Hearst in 1919 instructed the Bureau of Labour to report on the question, and his instruction was confirmed under the new Administration by Hon. W. R. Rollo, Minister of Labour. The Report which was a careful and thorough study of the question was made by Margaret A. Strong, M.A., and the Legislation following her recommendations was enacted in 1920.

The oldest Hospital in Ontario is the Toronto General. Concerning this notable institution Dr. John N. E. Brown has written (*) as follows:

Dr. William Dunlop, principal medical officer in the Niagara campaign in the War of 1812, in his Recollections, writes: "I was despatched to York—now Toronto—to take charge of my own men, who were in general hospital in that garrison. Toronto, then a dirty, straggling village, contained about sixty houses. The church—the only one—was converted into a general hospital .....and there I remained till December, 1814." The fight had taken place at Queenston, and as there was insufficient room at the Butler's Barracks' Hospital there for all the patients, some fifty of them had been transferred to York. On April 27th, 1813, the Americans captured York. Before vacating, the British blew up their magazine, killing a number of the enemy. Not a few of these men had been injured in a previous explosion. The wounded were looked after by the medical officer of the American naval attacking force, the celebrated William Beaumont, who made the remarkable observations of digestion through a study of Alexis St. Martin, a patient suffering from gastric fistula. In his Life and Letters he says: "The most distressing scenes occurred in the hospital, due to the cries of the wounded and the agonies of the dying." Under date of April 28th, he added: "Just got time to suspend capital operations while I take a little refreshment to sustain life—for the first time since four o'clock yesterday. Dressed rising to fifty patients from simple conditions to the worst of compound fractures. More than one-half of the last description."

*"The Municipality of Toronto; a History," p. 631 et seq.

In 1817 the necessity of a civilian hospital became apparent to the people of York; and in 1818 the Government set aside several properties in the vicinity to be used for hospital purposes, some 380 acres in all. The trustees bought six additional acres. A good deal of this property has been sold from time to time for maintenance purposes, but the Trust still holds a goodly portion of it.

The first money available for a hospital purpose was provided by the Loyal and Patriotic Society, organized at York in 1812. In addition to its general relief work, the Society ordered medals for militia men who had given services of merit. Owing to the great number of candidates and the difficulty of deciding who should receive them, the medals were never presented. They were converted into bullion, and along with other funds of the Society left over at the close of the war, were devoted to charity. About £2,000 of the funds were presented to York General Hospital. Dies of the bronze medals may be seen in the Toronto General Hospital.

Construction work commenced in 1820 on the site now occupied by the Arlington Hotel at King and John Streets. The first trustees were Honourable Chief Justice Powell, Hon. James Bâby and Rev. Dr. John Strachan. In 1822 the following were added: William Claus, George Markland, John H. Dunn, Samuel Smith, John Beverley Robinson, and William Allan. In 1826 Claus and Smith retired. Hospital building proceeded but slowly. In 1824 a fire destroyed the Parliament Buildings. The Government thereupon took over the unfinished hospital building, put it rapidly in shape, and for four years used it for legislative purposes. From 1828 to 1856 it served as a hospital. It then reverted to the Government and remained in use for Government offices until 1862, when it was demolished. This hospital originally accommodated one hundred patients of all classes of cases; later, two additional buildings were erected for fever patients. The first Superintendent was Dr. Edward Clark. Other officials were a steward, a matron and ten nurses.

In April, 1832, we find the medical board of York Hospital informing the public that "the institution is now in successful operation and affords daily opportunities of observing diseases and their treatment." The students for whom this announcement was made, in this same year, held a meeting and formed "The York Students' Medical Society for the general purpose of general improvement and knowledge of the various branches of medical science." On August 31st a Dispensary for out-patients was established. Drs. W. W. Baldwin, Morrison and Tims were the first doctors on its staff. Through lack of funds it ceased operation within one year.

In October, 1836, "one James Mitchell, a pupil of Dr. Rolph, appeared for examination. He passed a severe questioning with credit and received a certificate." It is believed that Mitchell was the first doctor graduated in Toronto. From press records of a meeting of Toronto doctors in 1836 it appears that marked dissatisfaction prevailed concerning the administration of the hospital. A protest was forwarded to the Lieutenant-Governor asking for redress. Complaint was made that the poor were prejudiced against such institutions, and to remove the stigma it was suggested that certain days in the week should be chosen for important operations that were non-urgent, that records should be kept of patients admitted, and of their ailments with results of treatment; and that visitors should be allowed consistent with the comfort of patients, to visit in the wards. The memorial also complained "that over the hospital a veil of obscurity impends which it is highly advantageous to have removed . . no report . . no invitations to medical men to attend

.....the passing bier alone affords a melancholy proof that the institution exists in active operation." Request was made of the Governor for a copy of the Constitution of the Hospital, the number and mode of electing medical attendants; if there was a Board of Control, and if so, of whom composed. The outcome was the appointment of a new Medical Board, with the adoption of the progressive measures suggested by the complainants.

In 1834 the cholera appeared in Canada, having been carried in an immigrant ship to Quebec, whence it spread to Upper Canada. The annals record that "during the height of the panic many victims, struck with the terrible disease, were left without any assistance; others were mercifully attended by strangers or the few paid nurses. Every twentieth inhabitant died. A small heroic band of men and women visited stricken homes to assist. Frequently some of this noble band, among whom was the Mayor, might be seen placing victims in the cholera carts and driving them to the hospital." In 1835 we find the name of Christopher Widmer on the Trustee Board and also on the medical staff. Besides him Drs. John King, John Rolph, and Robert Hornby served on the medical staff. The apothecary was F. Wilkinson, and George Sinclair was the Steward. Dr. Christopher Widmer served in the Peninsular war. Following the War of 1812 he settled in Toronto. Canniff says: "It was always a treat to follow him around the wards. In the operating room he was most brilliant." His portrait adorns the walls of the General Hospital.

From February 2nd, 1835, to February 1, 1836, there were 530 patients admitted, forty-five remaining from the previous year; 423 were discharged cured, four discharged for cause, six discharged incurable, sixty remained in hospital, thirty-nine died within forty-eight hours of admission from typhus. Eighteen hundred out-patients received treatment.

In a description of the hospital written in 1836 by Dr. Thomas Rolph, he said: "The hospital is a large but heavy erection; but from the zeal and talent of the medical gentlemen who attended it, of inconceivable advantage to the country."

In 1841 the receipts were £834 5s 6d; expenses £1,520 11s 6d. To meet the deficit the Government came to the rescue with a grant of £1,000. King's College also made a grant of £550. In fact, since 1830 the Government had made occasional grants of from £100 to £750. The Secretary of the hospital was paid £40 per year. In 1845 the surgical instruments and supplies cost £15; and in 1847 £7 14s 9d were paid for medicines.

Dr. William Beaumont, who had studied at St. Bartholomew's Hospital, London, under Abernethy, Cooper and Lawrence, served on the hospital staff for many years. He established its reputation as the surgical centre for Upper Canada.

A chronicle for May, 1855, savagely records that "the floors, walls, and ward appurtenances are extremely filthy; the ubiquitous patients swarming with vermin; no ablutions, no baths.....officials inhumane.....Burns, an orderly, dragged a sufferer exhausted by disease across the threshold and violently dashed water on his person.....Burns was reprimanded for roughly removing the clothing from a patient with a fractured limb.....a monster like this ought not to have been tolerated for a day. Miss Donnelly, a nurse, whose forte lay in abusing the patients, often put an enemy in her mouth to steal her brains.....Some of the physicians were very irregular in their attendance." Even the renowned Beaumont "came at no appointed hour; so that the élèves (students) could not participate in the benefits anticipated in selecting this institution for the study of disease.

The pupils of Trinity received notification of operations withheld from their rivals of the Rolph School. . Dr. Aikins, victim of petty jealousy, had patients actually taken from under his treatment and discharged just on the verge of operation. The reason of the malignancy was that he was connected with the Rolph School."

Drs. H. H. Wright, Herrick and King were men of local eminence who gave faithful service in those pioneer days.

Dr. R. B. Nevitt gives the following glimpse of conditions in the early seventies:

Dr. James H. Richardson removed by ecraseur the cancerous tongue of (Old Tom) the janitor, who refused anæsthetic, seeing he had borne amputation of a leg after Trafalgar with a nail between his teeth. He gave a responsive groan as the twisted instrument severed the tongue. "You see of what stuff our sailors are made," remarked the operator on completing the operation. Next morning Old Tom was seen sitting under the trees smoking his pipe. An old soldier acted as dresser. Old Sam, an English jockey, with a chronic ulcer and incurable thirst, was dispensary roustabout and poultice maker. The two or three experienced nurses were terrors to the patients; the others were raw and uncivilized. Eliza was the senior on night duty. The patients would allow her to sleep and never say a word.

Dr. Norman Bethune attended the important eye cases; Dr. Hodder specialized in diseases of woman, and Dr. W. T. Aikins did general surgery. In 1873 or 1874 the first clinical thermometer was used. It was placed in the arm pit, and did not self-register.

The superintendent in those days was Dr. J. H. McCollum, who served from 1871 to 1875. Of his predecessors Dr. J. Gardner and Dr. W. B. Hampton little can be ascertained. Miss Hay was matron, and was assisted by two maids. Dr. Chas. O'Reilly followed in the superintendency, serving for twenty-nine years. He began with one hundred and fifty beds and ended with four hundred. This meant much additional building for patients and a home for the nurses. Dr. O'Reilly was a past master in economy, being able always to keep expenditure within income. He was ably assisted in this matter by Mr. A. F. Miller, secretary, who gave the hospital faithful service. The most important feature medically during this period was the introduction of antisepsis and asepsis in the general surgical and obstetrical work of the institution. Thomas Cullen, the renowned gynecologist, refers to conditions in 1890 as follows: "Students had an excellent teacher in obstetrics in Dr. Adam Wright, who for many years had charge of the Burnside Lying-in department. In gynecology they were taught versions and the value of zinc chloride and Churchill's tincture for their treatment. Now and again the perineum was treated surgically. Abdominal operations were very limited. Entire removal of the womb for cancer was not thought of. Fractures were well handled and lateral lithotomy dexterously performed. Gallstones were not removed; and the appendix seldom."

A training school for nurses was established in 1880 with Miss Goldie as superintendent. She was a cultured woman, but not trained in nursing. The following year Miss Storey took her place for a brief period. Next came Miss Picket, a nurse trained at the Massachusetts General Hospital. Her stay was also short. In 1884, Miss Mary A. Snively, fresh from Bellevue, New York, was appointed and remained until July 1, 1910. She established Toronto as a nursing centre. Under her, immature girls were transformed into strong capable women, who have gone to all parts of the world to fill positions of responsibility. Her name will long be remembered among the pioneers of the

nursing profession on the continent. Miss Snively was followed by Miss Robina Stewart, who assisted greatly the Trustee Board in equipping the new hospital. She was succeeded by Miss Jean Gunn, who maintained the high standard of the school.

In 1905 the writer of this chronicle became superintendent, remaining until 1911. During his régime, laboratories for diagnosis and research were established with salaried men in charge. Dr. George W. Ross, a pupil of Sir Almaroth Wright, assumed charge of a laboratory of therapeutic immunization; Dr. Alfred Caulfield, and Dr. Duncan Graham took charge consecutively of the laboratory of pathological chemistry. Routine work was done in connection with the diagnosis of all cases; and original investigations began to be carried on in serology. Vaccines began to be used for the treatment of certain infections. Interested students from various parts of the continent came to learn Dr. Ross's technique.

During this period high pressure sterilizers for sterilization of water and dressings were introduced; uniformity of technique was arranged for operating room procedures, which made for smoother running of the work of nurses and surgical assistants; a graduate pharmacist was engaged to take charge of the dispensing of drugs both for in-patients and for the out-patient clinic; a cost accounting system was introduced which enabled the superintendent to check extravagance and promote economy; wards for patients suffering from functional nervous disorder were established, in which the treatment advocated by Weir Mitchell was given with much success under the direction of Dr. Campbell Meyers. Through the generosity of Mr. M. J. Haney the hospital was enabled to establish an out-patient clinic for patients suffering from pulmonary tuberculosis, with Dr. Harold Parsons in charge. A salaried nurse assisted at the clinic, and did follow-up work. An out-clinic for mental diseases was also commenced, with Dr. Chas. C. Clark and Dr. Ernest Jones as attending physicians.

During these years a complete re-organization of the medical staff was undertaken. Anterior to this there were some six services in both medicine and surgery. These were reduced to three in medicine and four in surgery. All members of the staff resigned in order to give the board a free hand. A number of younger men were appointed and with new blood came fresh enthusiasm, resulting in more prompt and more efficient care of patients; better work by the house staff and the nurses. Case histories were more carefully taken, and the registration work substantially improved, paid clerks being put in charge. Dr. Frederick Marlow and Dr. Goldwin Howland must be given credit for assistance in putting this department into order.

Dr. Charles Clarke followed as superintendent, serving from 1912 to 1919. He was dean of the medical faculty as well, and was thus in a position to co-ordinate the college work of the final years with that of the hospital. Besides this dual work, Dr. Clarke had the great burden entailed by the construction and equipment of the new hospital. Horace Britain, Ph.D., acted as superintendent for one year. He was followed by Mr. C. Decker. The assistant superintendent is Dr. Grey.

Reverting to the directorate we find Hon. John Macdonald, chairman of the Board of Trustees in 1872; Mr. Charles S. Ross in 1875; followed for brief periods by Mr. J. O'Reilly and Mr. William Elliott successively. In 1877 W. H. Howland, Esq., took the reins.

During his régime the west wing was built by moneys donated by William Gooderham, Sr., James Worts, and William Cawthra; also the Mercer Eye and Ear Infirmary, made possible through the escheatment of the estate

of Andrew Mercer, deceased. During this period the Burnside lying-in hospital on Shepherd Street was taken over by the trust; and a commodious building bearing this name was erected on the northwest corner of the grounds. Dr. C. D. Patterson was chairman of the Board from 1879 to 1889. It was during this decade that the nurses' training school was established and their home built, adjoining the main building westerly. Mr. Walter S. Lee acted as chairman from 1889 to 1902, most faithfully and efficiently. Upon his demise Mr. J. Blakie carried on for a couple of years, resigning through age to give place to Mr. J. W. Flavelle, now Sir Joseph Flavelle, Bart., who presided until 1920.

Through Mr. Flavelle's initiatory efforts the following monumental subscriptions were contributed for the construction and equipment of the new hospital on College Street; City of Toronto, $610,000; Provincial Government and University of Toronto, $600,000; individuals on Trustee Board, $1,287,087; banks and corporations, $135,750; private citizens, $523,528. With the interest on subscriptions and the value of the old hospital site, the total thus available for construction of a new building was $3,456,209.67.

Jane and Agnes Shields, through Dr. N. A. Powell, contributed over $60,000 for the maintenance of the emergency hospital, which bears their name. The surgical wing at the northeast corner of the lot stands as a monument to the late Timothy Eaton, through the beneficence of his son, the late Sir John Eaton. It cost $304,589. The Nurses' Home, costing $251,718.52 was made possible through the generosity of the late George A. Cox, and is a memorial to his first wife. The out-patient building bears the name of Cawthra Mulock, whose contribution of $100,000 was the first made to the building fund. It cost $116,226.48. The site, nine acres, cost $269,150.52; the Private Patient Pavilion, $140,474.64; the Shields Emergency, $84,479.14; the Power Plant, $245,738.34; the Servants' Building, $55,296.75; the kitchen, $63,825.07; corridors, tunnels, garage, workshop, ice-freezing room, fences, courts, drain, lighting standards, architects' fees, $220,883.93; equipment and furnishing, $290,051; miscellaneous, $240,941.37.

The new hospital was formally opened on June 19th, 1913, the private pavilion on January 6th, 1914.

The architects were Messrs. Darling and Pearson. In planning the buildings they had the advice and co-operation of the superintendent, superintendent of nurses, and the medical staffs. The plans when matured were viséd by two experts, Dr. H. B. Howard, of Boston, and Dr. Christian Holmes, of Cincinnati, who pronounced them good.

Kingston is the gateway to the Great Lakes country and as oversea immigration began soon after the War of 1812 many sick and destitute travellers halted there to recover—or to die. The first effort to establish a hospital for their accommodation was made in 1821 by "the Female Benevolent Society," an association which numbered among its members most of the distinguished women of the community. All the oldest families were represented and among the most active members were Mrs. Cartwright and Mrs. Machar. With funds collected from the citizens the ladies secured and fitted up an old blockhouse which served the needs of the sick for some years. A fire swept it out of existence. Again the Benevolent Society appealed for funds but while a considerable sum was subscribed, the leaders of the community considered that the need justified an appeal to Parliament

for a grant of public money. The legislators counted the petition as reasonable and on January 28th, 1832, passed an Act providing £3,000 to be applied to the erection of the necessary buildings. John Macaulay, James Sampson and Edmund Westrop Armstrong were named as Commissioners with authority to determine and acquire the site, and to superintend the construction of the building.

The Commissioners reported on December 31st, 1834, that the work of construction had been delayed by "the prevalence during many weeks in the summer of a destructive malady," namely, the cholera. Contractors had not been able to fulfil their engagements and the Commissioners did not care to be too exacting in view of the circumstances. Still they were able to report that the new structure had been roofed, the floors had been laid and one coat of plaster put on. They looked for the completion of the building in the following summer. The outlay up to the date of the report had been £3,309 14s. 9½d. "The Commissioners venture to think that a more commodious building of the same description has not been erected at the same cost in any country." They reported private subscriptions (*) of £690, 15s. 4d., and a Legislative Grant of £3,000, thus having a balance in hand for completing the building of £385 9s. 6½d. An additional amount of £500 was said to be necessary. In 1837 an additional grant of £500 was made by Parliament to be used for furniture and fittings. The building (which is the central portion of the present Hospital) was only just completed when the transfer of the Legislature to Kingston made it necessary to use the new Hospital as a Parliament Building. For three years it was so occupied, the Female Benevolent Society being compelled in the meantime to "carry on" in temporary quarters which were furnished by the generous aid of the merchants. The disappearance of the politicians in the direction of Montreal enabled the Hospital to be used for its original purpose and two wards were opened in November, 1845, accommodating eighty-two patients, still under the supervision of the Benevolent Females.

They felt, however, that the task of maintaining a permanent hospital was too great for them to undertake, and a public meeting of citizens—which thanked the ladies for their work since 1821—resolved to apply for incorporation.

In 1849 the Kingston General Hospital was incorporated. The preamble of the Act declared that the inhabitants of the City and of the Midland District were constantly called upon to supply the necessities and relieve the condition of sick and destitute Emigrants and other transient persons, and the mariners of the Lakes, and averred that the Hospital should be incorporated in order that it might be conducted in a more efficient manner. The Trustees named were the Mayor of Kingston, the Judge of the Midland District Court, the Warden of the Midland District, the Sheriff, and three

*The subscription list which bears the names of many Kingston families of prominence may be found in the Sessional Papers of 1835, No. 85, p. 19.

Aldermen of the City to be elected by the Council. All by-laws were subject to review by the Governor-in-Council.

The first official report of the Hospital to Parliament showed that from May 1st, 1849, to May 1st, 1850, 171 persons were admitted and 31 died—15 from cholera. Six died from typhus fever. Dr. John A. Harvey was the surgeon in charge of the Hospital at a salary of £50 a year. The Parliamentary grant for maintenance was £300; the disbursements for eight months were £357 4s. 1d. Some of the details of expenditure are curious:

| | | | |
|---|---|---|---|
| Rations furnished | £171 | 17s | 5d |
| Doctor's, Steward's and Matron's salaries (8 mons.) | 67 | 6 | 8 |
| Medicine | 14 | 7 | 0 |
| Firewood | 33 | 18 | 6 |
| Coffins | 9 | 7 | 6 |
| Sexton's Fees | 6 | 5 | 0 |

To meet the deficit the Trustees borrowed money and announced the fact in their next report to the Government. "We regret that the expense of supporting the Hospital has far exceeded the grant allowed by the Government.....The grant, being merely £300 per annum would be inadequate were only those in our more immediate neighbourhood admitted; how much more so then must it be when it is considered that a great part of the Province participates in the benefit!"

By 1854 the Government grant had been increased to £600 and the County Council was contributing £50. From other sources £554 13s 4½d had been received so that the budget was for £1,204 13s 4½d. The city contributed £260 15s 10d during the epidemic of 1854. The report of 1855 signed by Dr. Horatio Yates, Acting Chairman and Treasurer, and Mr. Flanagan, Secretary, reported receipts of £1,873 7s 10d, the Government grant having been increased to £1,000. At Confederation the annual grant assumed by the Province of Ontario was $4,800.

The first mention in the Public Accounts of the Hamilton City Hospital is for the year 1851 when a grant of £300 was made. By 1853 the amount had reached £600. Two years later it was £800 and in 1858 the Hospital received $6,000. The Protestant and Roman Catholic Hospitals of Bytown, now Ottawa, received in 1852, £150 each; by 1860 the grants were $1,500 each. London General Hospital in 1858 and 1859 received from the Government a grant of $4,400. Thus the order of establishment for the earliest hospitals of the Province was as follows: Toronto General, Kingston General, Hamilton City, the two institutions of Ottawa, and the London General.

The charities receiving grants of public money in 1868 from the newly organized Province were as follows:

| | | |
|---|---|---|
| Toronto General Hospital | $11,200 | |
| House of Industry | 2,400 | |
| Protestant Orphans' Home | 640 | |
| Roman Catholic Orphans' Home | 640 | |
| Lying-in Hospital | 480 | |
| Magdalen Hospital | 480 | |
| House of Providence | 320 | |
| Girls' Home | 320 | |
| | | $16,480 |
| Kingston General Hospital | $ 4,800 | |
| House of Industry | 2,400 | |
| Orphans' Home | 640 | |
| Hotel Dieu Hospital | 800 | |
| | | $ 8,640 |
| London General Hospital | $ 2,400 | $ 2,400 |
| Hamilton City Hospital | $ 4,800 | |
| R. C. Orphans' Asylum | 640 | |
| Orphans' Asylum | 640 | |
| Deaf and Dumb Asylum | 3,000 | |
| | | $ 9,080 |
| Ottawa Protestant Hospital | $ 1,200 | |
| Roman Catholic Hospital | 1,200 | |
| | | $ 2,400 |
| | | $39,000 |

The last printed Government Reports enumerated 110 public hospitals in the Province, 49 private hospitals, 41 refuges, 30 orphanages, 3 convalescent homes and 31 county houses of refuge. In the Hospitals alone the Government grants based on a per diem rate per patient reached the sum of $889,936. The total income of these hospitals for the year was $7,625,114. To the City Refuges, $109,957 was contributed by the Government, their total income being $1,060,450. The Government grants to the Orphanages were $42,771, the total income being $425,699, and to the County Houses of Refuge $5,402. The sources of revenue for the Hamilton City Hospital may be recounted, as typical of all the institutions of the province:

| | |
|---|---|
| From the Province of Ontario | $ 45,917.80 |
| From the City of Hamilton | 193,645.03 |
| From Patients, for maintenance and treatment | 164,667.11 |
| From other sources | 4,475.55 |
| | $408,705.49 |

Roughly 11% from the Province, 47% from the Municipality, 40% from Patients.

Approximately the Government contributes on the whole $1 for every $10 of revenue collected by these institutions. The taxpayers find about $5.80 out of every $10, and patients pay $4.

As to the effect of sanatorium treatment for tuberculosis, the following recent figures are illuminating:

| | Patients Discharged | Deaths |
|---|---|---|
| Brant, Brantford | 30 | 9 |
| National, Gravenhurst | 142 | 8 |
| Muskoka Free Hospital | 409 | 27 |
| Mountain, Hamilton | 135 | 47 |
| Freeport, Kitchener | 48 | 6 |
| Queen Alexandra, London | 423 | 26 |
| Royal, Ottawa | 76 | 35 |
| St. Catharines | 21 | 10 |
| Preventorium, Toronto | 142 | — |
| Toronto Free, Weston | 326 | 161 |
| | 1,752 | 329 |

The first legislative enactment in Ontario with reference to municipal sanitation was passed in 1873. It provided that the members of any Municipal Council were to be health officers with the right, (a) to inspect any premises within the municipality during the day-time; (b) to order the proprietor to cleanse them if their condition were unsatisfactory; and (c) to enforce the order if necessary by calling in the Constable. The Councillors were authorized to delegate this authority by by-law to a committee of themselves or to any individual. (*) In case of the appearance of any formidable epidemic the Lieutenant-Governor in Council was authorized by proclamation to declare in force the latter portion of the Act which gave exceptional powers to a "Central Board of Health" to be named for the emergency and required the appointment of a local Board of Health in every Municipality.

That the general aims of the Act were not realized was made clear by the appointment in 1878 of a Select Committee of the Assembly under the chairmanship of Hon. Adam Crooks. (There had been an epidemic of yellow fever in the United States in 1877). The report of this Committee indicated a condition of affairs that was far from satisfactory. The conclusions in brief were as follows:

1. That with the exception of passing by-laws and appointing committees on the public health the Municipal Councils in general have not adopted or exercised any practical means for promoting the public health, or for removing filth, refuse, or other causes of injury.

2. That in 54 of these municipalities no means of enforcing any Regulations have been adopted except as to the appointment of Inspectors.

3. That in nearly two-thirds of the municipalities no means are adopted for removing refuse matter.

4. That in 41 municipalities there are no provisions for preventing infectious diseases from spreading; while vaccination or re-vaccination cannot be said to be generally practised except in a small number of municipalities.

5. The water supply is, in most instances, derived from wells—good water is stated to exist in only 20 municipalities; while in nearly as many it is liable to pollution from privies.

*This law followed the general lines of the Statute of 1835 which gave similar powers to health officers nominated by the Lieutenant-Governor in Council. The Municipal Institutions Act of 1859 made Councillors health-officers.

6. No means of drainage are to be found in most of these places, while drainage exists in but few. It cannot be said that there is one case of good and sufficient drainage. Drainage and ventilation of cellars are almost universally neglected.

7. In many of the replies (received from the municipalities) the state of the general health for the years 1875, 1876 and 1877 has been referred to but without reliable data. In a few instances it has been stated that it has not been good or that it has been bad, while in the larger number of cases it is said that the public health has been good, fair, moderate or fairly good.

8. The specific returns indicate that the general expressions do not describe the true conditions of many localities in which death has recorded its numerous victims from causes of Typhoid, Diphtheria, Diarrhoea, Scarlet and other Fevers, Erysipelas and Infantile Mortality.

9. Nearly every municipality has within its limits slaughter houses, and most of them at least one burial place, and some two or three.

10. Overcrowding does not prevail except in a very few instances.

It does not appear that there was any immediate action on the alarming information thus presented. Indeed a good deal of apathy existed, even on the part of physicians, for the compiler of the Provincial Statistics on births, marriages and deaths said in his report of 1880: "It is to be regretted that there is little or no manifest improvement in the certified causes of death returned. The returns are rendered much less valuable through want of due attention to this part of the death certificate. Infantile debility is given as the cause of 1,100 deaths and convulsions as the cause of 454, while 352 are certified as from dropsy. Debility, convulsions and dropsy are all very unsatisfactory causes of death to give and all rather symptoms of disease than disease proper. All physicians know this very well." Out of 17,808 deaths, as reported, 3,963 were of infants under one year old. The average age at death was 29.78 years; 986 died of diphtheria, 368 from scarlet fever, 379 from typhoid fever; other fevers were responsible for 212 deaths, 211 died from whooping cough, and 1,999 from pulmonary tuberculosis.

In 1882 the Government and Legislature took a forward step by establishing a Provincial Board of Health. The Act provided that the Board should consist of seven members, four of whom must be registered physicians and the Secretary should be paid the salary of $1,000 a year. The Board was authorized to prepare and distribute information relating to the prevention of contagious and infectious disease, to maintain a supply of pure vaccine to be supplied at cost to every qualified practitioner, and generally to supervise the health of the people. This first Provincial Board consisted of Dr. William Oldright, Dr. Chas. W. Covernton, Dr. Horace P. Yeomans, Dr. Francis Rae, Dr. John J. Cassidy, Dr. John Hall and Dr. Peter H. Bryce (secretary). Dr. Hall resigned and was succeeded by John Galbraith, Professor of Engineering at the School of Science.

A very elaborate document is the first annual report of the Board, and in view of present knowledge, a curious one. Intermittent fever had appeared at Coboconk and at Madoc. The question arose whether or not large

accumulations of sawdust were the immediate or the predisposing cause. The doctors thought it probable. Forty years ago every one knew that low-lying marshy lands produced malaria; no one had suggested that the mosquitoes, which bred plentifully in such places were conveyors of the disease. An inquiry was made into typhoid outbreaks in Sarnia and in Stratford and undoubtedly the nail was struck on the head when the Board fixed upon contaminated water as the cause. Although *coli communi* were not yet generally known, the Board believed that "minute organisms, bacteria, microbes, etc., many of which according to the teachings of modern biology and when taken into the blood of man or animals the origin of contagious diseases, will be present in water in proportion to the amount of organic materials present as food for them." A Sanitary Convention was held in St. Thomas on September 19th, and 20th, 1882, lectures on sanitation were delivered at various towns and there was a liveliness and enthusiasm in the Board which gave Preventive Medicine in Ontario an excellent beginning.

The operation of the Board during the first two years showed where the law was faulty, and in consequence of these discoveries the Legislature passed in 1884, The Public Health Act, which was drastic enough to alarm conservatively-minded people. Regulations of a Local Board of Health might be suspended if they were not sufficiently stringent, and orders of the Provincial Board would take their place. All water and sewage systems proposed by municipalities had to be approved by the Provincial Board. Notification concerning all cases of infectious disease was made compulsory, and quarantine regulations were established. The penalties for neglect or refusal to carry out orders of a Health Officer were made severe and it was provided that no order or proceeding should be quashed or set aside for want of form, or be removed or removable by *certiorari* or other writ or process whatsoever into any of the Superior Courts. In fact the Legislature set up, of free determination, a Sanitary Autocracy and called upon the people to obey. Moral suasion had been tried without satisfactory effect and at last the law began to use "shall" instead of "may". Every municipality was ordered, rather than requested, to establish a Local Board.

In moving the second reading Hon. Mr. Ross said that the Bill was the most important of the Session. Limited legislation in England had reduced the death rate from 24 to 20, and he had no doubt that like effects would be produced in Ontario. He thought the people ought to be alarmed at the serious nature of diphtheria and scarlet fever as well as of smallpox. Mr. Meredith, leader of the Opposition, thought that the measure was too drastic and interfered too much with the elasticity which ought to prevail in municipal institutions. While admitting the ability of the Provincial Board of Health he was not prepared to admit that this body should pass on a matter with regard to the establishment of a water system or sewerage system without consent of the municipality. Despite these objections

the Bill passed, and experience has shown that its wide powers have been exercised always with good judgment and with much salutary results. The value of the Act was submitted to an early test in an outbreak of small-pox which occurred in the Township of Hungerford in the Autumn of 1884. There were 204 cases with 33 per cent. of deaths. Dr. Bryce took charge and succeeded in having over 4,000 people vaccinated. Thus the epidemic was checked. From time to time the law has been amended, never to its weakening; authorities say that the Health Legislation of Ontario is the most concise and satisfactory of any in America.

In 1887, Dr. Bryce was named Chief Officer of Health; he continued in office until 1904 when he became Chief Medical Inspector of the Federal Department of the Interior. He was succeeded by Dr. Charles Alfred Hodgetts, who served until 1910, and was followed by Dr. John W. S. McCullough. The Chairmen of the Board have been Dr. Oldright, 1882-1884; Dr. Chas. W. Covernton, 1884-1887; Dr. Francis Rae, 1887-1890; Dr. John J. Cassidy, 1890-1894; Dr. John Duff Macdonald, 1894-1900; Dr. Henry Edward Vaux, 1900-1903; Dr. Edward Kitchen, 1903-1906; Dr. Chas. Sheard, 1906-1911; Dr. Adam H. Wright.

Of the first laboratory established in 1890, Prof. J. J. Mackenzie was the Director. He has written as follows concerning his work: (*) There was no special appropriation at first for the equipment and maintenance of the laboratory but this expense was met from an appropriation in the Department of Agriculture for investigation of the diseases of animals. Almost the first work undertaken by the laboratory was the investigation of outbreaks of rabies. The work gradually extended to systematic bacteriological and chemical examination of water supplies. The systematic examination of suspected diphtheria swabs, suspected tuberculosis sputum, and blood from cases of suspected typhoid fever was begun by the laboratory earlier than anywhere else in America. . . Throughout this time as head of the laboratory, I did all the bacteriological and chemical work without assistance except that of a boy to look after the animals and clean up the glassware."

Dr. John A. Amyot succeeded Dr. Mackenzie in 1900 and has written cheerfully of the period when no stenographer was provided for the Laboratory, and it was necessary to signal to the Parliament Buildings with a white towel when one was needed. The first chemist to be attached to the Department was Dr. Geo. G. Nasmith, C.M.G., who served from 1902 until 1910.

In 1912 the law was still further strengthened, permitting the appointment of ten district Officers of Health. When the Department was transferred from the jurisdiction of the Provincial Secretary in 1919, and attained the dignity of sharing a Minister with the Department of Labour, there were in the Province 730 local officers of health. A digest of the

*Report Provincial Board of Health, 1921.

recent work of the Department by Dr. McCullough has been freely drawn upon for what follows: (*)

In 1904 a branch laboratory was established in connection with Queen's University, Kingston. Four years later an Experimental station was opened in Stanley Park, Toronto, where the various types of water purification and sewage disposal are shown. The London laboratory was opened in 1911, that of Fort William in 1919, and those of Sault Ste Marie and North Bay in 1920. The Toronto laboratory prepared during the Great War and supplied free of cost to the Department of Militia and Defence the major portion of the vaccine used to inoculate Canadian soldiers against enteric diseases. Owing to establishment by the University of Toronto of the Connaught antitoxin Laboratories, the Department has been able to secure at a low price for distribution such biological products as diphtheria antitoxin, which has greatly reduced the mortality from this disease. The rate in 1903 was 31 deaths per 100,000 population. By 1918 it was only 12. The propaganda work of the Board included the preparation of Public Health articles for the weekly press, the distribution of moving picture films, the provision of lecturers for Women's Institutes and other public bodies, and the setting up of exhibits at the rural Fall Fairs and City exhibitions.

The progress in the war against typhoid is shown by the following comparative figures, showing death-rates per 100,000 of population:

| | 1910 | 1920 |
|---|---|---|
| Cities of Ontario | 51.5 | 5.5 |
| Towns | 56.4 | 25.0 |
| Counties | 22.0 | 6.2 |
| Province of Ontario | 31.5 | 7.0 |

It is in the cities where the results of Preventive measures as advocated by the Provincial Board of Health are most apparent. The Local Boards have engaged Medical Officers of high standing and have given them freedom to exercise a salutary authority; with the consequence that typhoid fever has been all but eliminated and that all filth diseases show a gratifying decline. The construction of sewage reduction plants, the treatment of water with chlorine, the close inspection of dairies, the employment of Public Health nurses—all these devices, and others as well have made the modern city a zone of health. Congestion of population is no longer a menace. Indeed there is often more danger from typhoid fever in some isolated village where the wells may have been insensibly polluted, than in the poorest and most crowded quarter of Toronto. From 1910 to 1922 the death-rate of Toronto declined from 15.1 to 10.4 per thousand of the population; the infantile mortality per thousand of registered births dropped in the same period from 139.2 to 63.5. Concerning acute communicable disease the death-rate from typhoid fever has been reduced in ten years from 13.2 per 100,000 to 1.5; from scarlet fever, from 13.2 to 5.5; from diphtheria, from 39.0 to 11.3; from whooping cough, from 18.1 to 1.1. In the year 1924 there were only

*Report of 1921.

eight deaths from typhoid in Toronto, and in six out of the eight cases the disease was contracted outside of the city. Toronto and Hamilton, Ottawa, London and the other cities have taken advantage of the facilities provided by the Province. They have built on the excellent foundation laid by the Provincial Board of Health under the direction and encouragement of the Legislature.

In a small town the difficulties are greater. The Local Board of Health is not impersonal as it may be in the larger community. Its members and officers are known intimately of all men and unless they are strong-minded beyond the average they may show a leniency that is undesirable. Years ago when the aldermen and councillors were the only health officers they were unanimous in inactivity. The "arrogance of elected persons" was not sufficiently strong to induce them to inform an independent citizen—with a vote—that the manure pile beside his stable was an offence and that the keeping of pigs was a public nuisance that must be abated. To-day the Medical Officer of Health is not elected, but still he may show a certain delicacy in rebuking a man who bowls with him every summer afternoon, and perhaps skips his curling rink in winter. Of course if an epidemic disease appears the Provincial officers arrive on the scene and shoulder the responsibility of offending anybody or everybody.

In April, 1924, by Special Act of the Legislature, the Department of Public Health was raised to the rank of a Ministry under Hon. Dr. Forbes Godfrey.

# CHAPTER VIII.

## PRIMARY AND SECONDARY SCHOOLS

Miss Janet Carnochan in her *History of Niagara* says: "There were private schools, Garrison schools, the District Grammar School, Church Schools, Separate Schools, Ladies' Schools, Classical Schools, Night Schools, Boarding Schools, Schools for Coloured Children, Dames' Schools, the Fort Schools and many others. In the diary of Col. Clark, he speaks of attending the Garrison School at Fort Niagara in 1787. The Fort on the other side of the River was not given up to the Americans until 1796. When he came to the British side of the river the first teacher he went to was Mr. Richard Cockerell, an Englishman, who opened a school in Niagara in 1797. In 1799 he removed to Ancaster and in resigning thanked the public for their support and recommended the Rev. Mr. Arthur who taught Latin and Greek and who would take a few young gentlemen to board." In 1826 David Thomson was the teacher of the Niagara Common School.

Henry Ruttan, the son of William Ruttan, one of the first settlers of Adolphustown, wrote of his early instruction as follows: "School teaching was introduced by a few individuals whose bodily infirmities prevented them from hard manual labour. At seven years of age I was one of those who was educated by Mrs. Carnochan, who opened a Seminary for Children. From there I went to Jonathan Clark's school, and then to Thomas Morden's —lastly to William Faulkner, a relative of the Hagermans. Bilworth's spelling book and the New Testament were the only two books used by these schools. About five miles distant was another teacher whose name I do not recollect. After his day's work was over in the woods, but particularly in the winter, he was ready to receive his pupils." This period, as described by Mr. Ruttan, who for many years was Sheriff of Northumberland and Durham, was before 1800.

In 1786 a Garrison school was kept at Kingston by a Mr. Donovan and before 1790 several modest primary schools were carried on in a desultory manner within the Five Townships. In like manner each of the early settlements had its first educational needs supplied. William Pitt Gilbert, the first teacher in the Long Point district, was a stranded traveller, who, with a companion, had come from Malden to Long Point in a canoe. He lived and taught at the house of W. A. Smith, an early settler in the Township of Charlotteville. This was in 1797. In the same year a man named Collins of Montreal came to the Port Hope region and kept a school in the Smith homestead. Similarly at Niagara, at Detroit, and at Toronto, and along the St. Lawrence rude establishments existed for the needs of children whose parents could afford a few shillings towards the support of some needy person. But many settlers could afford nothing and boys and girls grew up illiterate. It is said the first building specially designed

as a common school was erected in 1815 at Williamstown in the County of Glengarry. It was 40 feet long, 30 feet wide and 16 feet high, and cost £300. The builders were Alexander Mackenzie, D. Macpherson, Donald Fraser, Peter Ferguson and John Wright.

All the efforts of Government from the establishment of the Province were bent to the organization of Grammar Schools. The children of the wealthier classes had every consideration and those of the poor had none; a condition that awakened criticism in the Legislature. On February 16th, 1804, five magistrates of the County of Glengarry, together with Rev. John Bethune, a Presbyterian Minister, and five of his elders, petitioned the Legislature declaring that they contemplated with anxiety the ill consequences that might result from the want of schools. They concluded their Petition as follows: "Your petitioners therefore submit to your consideration whether the erection of schools by public authority in the most central places in the country under such regulations as may to your wisdom seem meet, and with such provisions as circumstances may afford, would not be a measure of great utility, both in a political and moral view, to the rising generation, and would not speedily counteract the effect of an improper bias contracted by the people, who, in other respects are a reasonable and valuable description of men."

On a question of leave to bring in a Bill for the establishment of schools in each and every District of the Province the House divided and the proposal was defeated by a majority of two. Those voting *Yea* were Ferguson, Sheriff Macdonell, Macdonell of York, Washburn and McCrae. The *Nays* were Elliott, Sherwood, Clench, Swayzie, Rogers, Weager and Nelles.

In 1805 a Bill was introduced and got to the Committee stage, but the House refused permission to the Committee to sit again. The question by this time had become an Opposition Issue and in the following year William Weekes was sponsor for a new Bill—a fact in itself sufficient to stiffen the resistance of the Government party. Disputation continued until the war had begun and ended. In 1816 the Speech from the Throne contained the following sentences: "The dissemination of letters is of the first importance to every class, and to aid in so desirable an object I wish to call your attention to some provision for an establishment of schools in each Township which shall afford the first principles to the children of the inhabitants and prepare such of them as may require further instruction to receive it in the District Schools. From them it seems desirable that there should be a resort to a Provincial Seminary for the youth who may be destined for the professions or other distinguished walks of life where they might attain the higher branches of education."

The legislation which followed this announcement is Chapter 36 of the Statutes of 1816 and is the real beginning of the Public School system of the Province of Ontario. The Government proposed an appropriation of £6,000 to aid in the establishment of Common Schools. The allotment to the various Judicial Districts was as follows: Home, £600; Newcastle, £400;

Midland, £1,000; Johnstown, £600; Eastern, £800; London, £600; Gore, £600; Niagara, £600; Western, £600; Ottawa, £200. As soon as a competent number of persons should unite to build or provide a schoolhouse and engage to furnish twenty pupils or more, they were empowered to name three trustees who would have the right to appoint a teacher, provided that he were a British subject. The trustees were to have authority to make regulations for the government of the school and to dismiss the teacher if his work were not satisfactory or if his character were open to question. A district Board of Education was to be formed to which reports as to the work of each school were to be made quarterly. A teacher, "on producing a certificate of having well demeaned himself," would be entitled to his proper proportion of the Government grant which was not to exceed £25 annually.

After four years of experience under the Act of 1816 the original appropriation was sharply reduced, the best proof that the system was improperly devised and inefficient. A hint as to the cause may be found in a statement in 1832 by Thomas Rolph:

> "It is really melancholy to traverse the Province and go into any of the Common Schools; you find a herd of children instructed by some anti-British adventurer instilling into the young and tender mind sentiments hostile to the parent State; false accounts of the late war—geography setting forth New York, Philadelphia and Boston as the largest and finest cities in the world; historical reading-books describing the American population as the most free and enlightened under heaven; insisting on the superiority of their laws and institutions to those of all the world; American spelling books, dictionary and grammar, teaching them an anti-British idiom and dialect."

In view of the difficulty of ascertaining whether teachers in the townships were British citizens or garrulous Republicans, the Government was justified in hesitating to contribute public money for their support. Provision was made in 1824 for the examination of teachers by County Boards, but that was a counsel of perfection, rather than a practical defence. In many a case only one man would be available to teach the children. Failing him, the alternative was no school at all. The expenditures by the Government were as follows: 1832, $9,600; 1833, $32,200; 1834, $31,400; 1835, $33,800; 1836, $35,800. Then the Rebellion intervened, and the Union of the Provinces in 1841.

On May 7th, 1817, Bishop Macdonell engaged three school teachers of Catholic faith to serve in the Glengarry region—they were Richard Hammond, an Englishman, John Murdock and Angus Macdonald, Scotsmen.

After the Union of the Provinces in 1841 the need for Government supervision and co-ordination of the schools was strongly felt throughout Upper Canada. Lord Sydenham had sent for Rev. Dr. Egerton Ryerson and had asked him if he would accept appointment as Superintendent of Schools, but the Governor's illness and death intervened and no action was taken. Sir Charles Bagot's advisers were not disposed to give such high preferment to a Methodist, particularly to one who had been in steady



REV. DR. EGERTON RYERSON
Founder of the Ontario School System.



TORONTO NORMAL SCHOOL

opposition to the Anglican leaders on the Clergy Reserves question. Accordingly they named in 1842 Rev. Robert Murray, of Oakville, who had come into public notice by the publication of a series of lectures denouncing the Total Abstinence movement. Mr. Murray apparently had neither the driving force necessary for the task nor the confidence of the public. In 1844 he was appointed Professor of Mathematics in the University of Toronto and on October 19th of the same year Dr. Ryerson was named Superintendent of Education for Upper Canada. In November he left for Europe and spent a year investigating the state of elementary and secondary instruction in Great Britain and in the Continental countries. He made his Report in 1846 basing it upon four principles: (1) That the machinery of education should be in the hands of the people themselves and should be managed through their own agency; they should, therefore, be consulted in regard to all school legislation; (2) That the aid of the Government should be given only where it could be used most effectually to stimulate and assist local effort; (3) That the property of the country was responsible for and should contribute towards the education of the entire youth of the country, and that as a complement to this, compulsory education should necessarily be enforced; (4) That a thorough and systematic inspection of the schools was essential to their vitality and efficiency. Legislation embodying Dr. Ryerson's recommendations was passed in 1846 but was rendered nugatory by a law of 1849 passed hurriedly by a Government hostile towards the Superintendent. Dr. Ryerson promptly informed the Government that he would resign if the Act came into force. Hon. Robert Baldwin in consequence advised Lord Elgin to suspend the operation of the law until Dr. Ryerson could draft a new Bill. The result was the notable Act of 1850.

The Public School System of Upper Canada was planned after a thorough study of existing systems in other parts of the world. The machinery of organization was copied from New York State, the method of financial support from Massachusetts. The school books first used, in a graded series, came from Ireland, and were the best of their kind. The system of Normal School training was devised after a Prussian model. There are men in our day who wonder if there was not too much Prussian organization in the whole system, but that is for the discussion of scientific educationists—if such persons exist. Probably a centralized authority making regulations of the force of law was a necessity of 1850. Voluntarism had failed. Some measure of coercion was necessary to serve the best interests of the Province, to give every boy and girl a fair chance in life, to remove the stigma of illiteracy, and to make sure of a reasonably informed electorate as the reserve-force of democratic and responsible government. For many years the people of this Province were convinced that they had the best school system in the civilized world. Against such a conviction criticism beat in vain. To-day there is less of self-sufficiency in the minds of educational officials—a fact which is full of hope for the future. It is admitted that the Public School System fills the minds of the pupils with varied stores of

knowledge, that it gives a fair understanding of the position of Ontario with respect to the rest of the world. Does it teach children to think? Is there any system of mass-formation that will teach thinking as a science and an art? Do the schools give any glimmering of the meaning and the uses of the Fine Arts? Do they establish moral and ethical foundations of conduct? Is there a tendency to train the young in making money rather than in living? "What is the English Hell?" asks Carlyle. "With hesitation, with astonishment, I pronounce it to be, the terror of not-succeeding; of not making money, fame, or some other figure in the world—chiefly of not making money! Is not that a somewhat singular Hell?" Is the Ontario System of Education devised for the avoidance of that particular Hell? These are questions of the day. Upon the nature of the answers much will depend.

The Common Schools of Toronto were not officially recognized until 1843, when a committee of the City Council sought to co-ordinate them—imperfectly enough—into a system, and public money was granted towards their support. Under the Act of July 28th, 1847, the Municipal Council was authorized to appoint a Board of Trustees to administer the schools. The Toronto Board consisted of Frederick W. Barron, M.A., Principal of Upper Canada College, John Cameron, Hon. John Elmsley, John McMurrich, Jno. G. Bowes and William Cawthra, with the Mayor as Chairman *ex-officio*. The first meeting was held on November 20th, 1847, when G. A. Barber was named as City Superintendent of Common Schools. Mr. Barber, in reporting on existing educational conditions, said that in former times each school had been managed by a local board of trustees chosen from among themselves by the resident householders of the section. In consequence there had been a want of unity. There were 15 sections in the city, each with a single-room school. The number of pupils in 1846 had been 1,221. The expenditure had been £1,750—£950 being the total of the City assessment and the Provincial grant, and £800 having been collected in school fees from the pupils. The school buildings for the most part were rented. The rental in 1846 had been £350. Mr. Barber thought that the fifteen districts should be consolidated into eight, and that each should have a headmaster, an assistant master and a schoolmistress. That would necessitate the building of schools, a policy more desirable than the one which so far had been followed. He pointed out also that the Act in Section 8 gave the Board power to determine whether the teacher should be paid a fixed salary from the City, or should receive part of his emolument from pupils' fees.

Some members of the Board considered that the abolition of fees was not reasonable and the Secretary was instructed to write to Dr. Ryerson and ascertain if the Legislature really meant that the schools should be free. In answer Mr. J. George Hodgins, secretary of the Provincial Board of Education, said that Dr. Ryerson considered free education to be the cardinal principle of the Act. On December 6th, 1847—a date of some importance in the story of education in Toronto—Hon. John Elmsley moved that an Address be presented to the Common Council of the City recommending

that there should be a sufficient assessment for school purposes so as to dispense with payment of school dues by pupils. His resolution contained this clause: "That parents are far too prone to grudge even the small pittance demanded as their contribution towards defraying the expenses of the education of their children; and thus a large number of both sexes are annually cast upon society unaccompanied by any of those safeguards which a good education seldom fails to produce." The motion was carried.

The Estimates were passed a week later. Since trouble arose on account of them they are given here in full:

| | | | | |
|---|---|---|---|---|
| 1. | Rent of school houses at £20 per annum | £ | 300 | |
| 2. | Casual repairs | | 50 | |
| 3. | Maps, books of reference and books for indigent scholars | | 25 | |
| 4. | Fuel for the schools at £5 each | | 75 | |
| 5. | Salaries to 15 teachers at an average of £112 10s each | | 1,687 | 10s |
| 6. | Reserve fund to pay for services of assistants if needed | | 200 | |
| 7. | Contingent expenses | | 25 | |
| 8. | Salary to the City Superintendent, acting also as Secretary of the Board | | 125 | |
| | | £ | 2,477 | 10s |
| | Less Government Grant | | 467 | 12s 5d |
| | Amount required to be raised by the City Council per assessment of rateable property | | 2,009 | 17s 7d |

The Board had followed closely the procedure set forth by the Act, but the City Council regarded the estimates with indignation. Such an enormous expenditure for mere schools was at the outer limit of absurdity. In 1846 the City Treasury had supplied only about £500 for these same schools and teachers. Why should the amount be increased four-fold? The new-fangled notion of giving free schooling to everyone was all very well in theory, but the practice of taking money out of the ratepayers' pockets was not to be endured without protest. The City Council refused to endorse the estimates or to raise the money required. Conferences and argument were in vain. Some of the members of the Board were in favour of applying to the Court of Queen's Bench for a *mandamus*—since the Attorney-General had given an opinion that the Board was in the right. But the majority halted at the prospect of a direct fight. The deadlock was complete. Funds were in hand only to maintain the schools until the end of June. Accordingly on June 29th the Board determined to close the schools and dismiss the teachers. On the following day action was taken in accordance with the resolution, and the schools remained officially closed for a year—from June 30th, 1848, to June 30th, 1849. Some of the teachers continued their classes on private speculation, being permitted by the Board the use of the school furniture.

A warning came in June from the office of Dr. Ryerson to the effect that the Provincial grant would not be paid if the schools continued closed. The Council passed a resolution authorizing an assessment of 1d. in the pound for school purposes for the half year and the Board resumed business—making a concession of its plain legal rights for the benefit of the community.

Possibly the long struggle in Toronto between the School Board and the Council had some influence in the framing of the amending Act of 13-14 Victoria, Chapter 48. By this legislation the Trustees were to be elected by the people, thus securing a mandate equal in force to the mandate of an alderman.

On December 18th, 1850, Mr. A. A. Riddell gave notice of motion to this effect: "That whereas the present system of taxing the people for school purposes and then compelling them to pay a heavy school-rate (or fee) likewise is unjust and detrimental to the cause of Education; therefore be it resolved that the Common Schools be free to the scholars during the year 1851." The question was submitted to a Free Schools Committee and the principle was endorsed by the Board on March 5th, 1851. Nevertheless it was some time before the fees were entirely abolished.

Gourlay declares that in 1817 there were five Common Schools in the Township of Barton. In December, 1842, the Hamilton Board of Police divided the town into five Common School districts and during the next year the coloured people of the community secured from the Governor-General the privilege of having their children admitted to the Common Schools. After the incorporation of the City in 1846 a Board of Trustees was named by the City Council, the members being the Mayor, Colin C. Ferrie, Rev. W. Gordon, Rev. J. G. Geddes, Rev. W. McKid, Rev. John Ryerson, M. A. Bowen and Dr. Craigie. Chas. H. Stokoe was appointed Secretary. The first meeting was held on November 26th, 1847. At that time there were six Common Schools in the City with an attendance varying from 250 to 300, although over 2,000 children were living in the city. All these schools were conducted in rented rooms and it was not until 1850 that the Board determined to erect one Central School to provide for the accommodation of 1,000 pupils. The building was opened in May, 1853, with J. H. Sangster as Principal. That was really the beginning of the excellent system of Public Schools which Hamilton enjoys to-day. Mr. Sangster resigned in 1858 owing to the state of his health. At a meeting of the trustees and pupils of the school, Master John M. Gibson read an address from the pupils—the first recorded public appearance of a gentleman of high talent and great diligence who in our own time was Lieutenant-Governor of the Province. Middle-aged folk who were educated in Ontario may still remember Sangster's *Arithmetic*: the author was the first Principal of the Hamilton schools. He was succeeded by Archibald Macallum, who served until 1870. He in turn was succeeded by G. W. Johnson and then by S. B. Sinclair, who afterwards had a distinguished career as an Educational theorist and practitioner, and now is an official in the Education Department.

The Kingston Public School system was not fully organized until 1850, when thirteen primary schools in the city were taken over by the Common School Board and conducted in rented rooms. But the history of primary education in that city goes back to 1815, when the Midland District School Society was organized as a charitable or philanthropic association to see to

the education of the poor according to the Monitorial system introduced in England by Joseph Lancaster. On July 15th, 1815, the Society published "Proposals for erecting a school-house in this Town for the accommodation of the children of both sexes unprovided with the means of education." Two items from the Proposals follow: "Great attention shall be paid to the morals of the children but no interference shall ever take place in the school respecting catechisms and religious creeds." "All the children shall be requested to attend divine worship at such times and at such places as their parents and guardians shall direct." The effort to establish schools on this principle was not immediately successful, for a good number of private schools were in being. But in 1837 the plan was brought to realization. A boys' school and a girls' school were established, the fees being three pence a week. John Hamilton and Miss Morrison, both of whom had had experience in Scotland, were chosen as teachers.

The first house in London was built in 1826. The first common school was kept by William Taylor, an Irishman who was established first on Talbot Street south of York and then on Horton Street, near Talbot. This was in 1838. By 1844 the community had engaged a teacher and in 1847 Nicholas Wilson was one of five teachers employed. He served as a teacher in London for over sixty years. After the incorporation of the city in 1855 a Public School system was fully established with a large central school on King Street and with primary schools in the different wards. J. B. Boyle was Principal from 1855 until 1871 when he became City Inspector. He was a man of great ability and the foundations he laid have been proved daily by the quality of the superstructure built upon them. W. J. Carson succeeded Mr. Boyle. Ultimately the central school was abandoned in favour of the graded system in each ward.

In November, 1849, the first meeting of the Public School Board of Bytown was held, John Atkins being appointed Local Superintendent. The teachers employed were Messieurs Hagin, Maloney, O'Leary, Robinson, Mignault, Mrs. Sproule, Sisters Hagan, Conlin and Rivas, Miss Fraser, Miss Burwash and Miss Simpson. The school tax for the year was £64 3s. 1d.; the Government grant, £68 6s. 8d. In 1852 the salaries were £80 for male teachers and £57 for females, the teachers being required to supply out of their salaries school rooms and fuel. Not until 1867 when the Central School East was erected did the Board have a building of its own. William Cousens was superintendent from 1858 to 1870.

The first school in Peterborough was a log building erected in 1826 and taught by Rev. Samuel Armour, father of the late Chief Justice of Ontario. It served the needs of the children for twenty years. In 1852 the school house was a disused church which had been divided into class rooms. Four teachers were employed. The Central School was erected in 1857.

Brantford held its first school in 1826, using a frame building on the market square which served also as town hall, court house and occasional meeting-house. The community was incorporated as a town in 1847 and

soon had organized a common school Board. In 1850 P. C. Van Brocklin was at once Mayor of the town and chairman of the School Board. His associates on the Board were Ignatius Cockshutt, Henry Wade, A. Higinbotham, Wm. Matthews, Duncan McKay and Edward Montgomery. In March, 1850, the Central School was opened, Dr. Ryerson being present. The first principal was J. L. Hughes. Three ward schools were erected in 1853. The first Superintendent of Schools was Rev. A. Drummond.

Belleville, being on the Bay of Quinté, the place of the first Loyalist settlements, had a long series of private schools before the Ryerson system was organized in 1851. The one conducted from 1825 onwards by Wm. K. Blaind had an excellent reputation. *The Belleville Intelligencer* of January 17th, 1835, carried this advertisement: "I would inform the inhabitants of Belleville and Vicinity that a School called the Nursery of Science will be opened in this village." John Holmes signed the notice as "Preceptor" and announced that Mrs. Holmes would take charge of the Female Department. The fees were from 12s. 6d. to 20s. per quarter and each pupil had to find his own fuel. The common school on Pinnacle Street was the first to be built by the community. At its opening in 1851 Robert Newbery was the Principal. William Hutton was the first Superintendent of public schools. Among the early teachers were John Macoun, the eminent naturalist, and Col. Sam Hughes.

Stratford Public School System had its beginning in 1844 when a school was begun by Mr. McGregor, a trained teacher from Scotland. He retired after two years and then the trustees of Union Section No. 1 of Downie, Ellice, North and South Easthope Townships on January 10th, 1847, appointed Mr. McKee as teacher at a salary of £56. On January 21st, 1851, a public meeting resolved that a free system of education was best calculated "to promote the future intelligence, morality, industry, prosperity and independence of the country" and determined to assess the property of the school section. At a subsequent meeting the following resolution was passed: "That the respectability of the town, the health of the scholars and teacher (and as a means of enhancing the place) require the erection of a new brick school-house and that the trustees be requested to consider and forward the same for the best interests of the school section consistent with economy."

The first school in Woodstock was built by subscription in 1839. It was called Goodwin's school-house, after the teacher of the time, and was to be used "as a common school-house and to be open for the accommodation of the inhabitants as an occasional place of worship for such denominations of Christians as may from time to time require it, and for other public purposes not incompatible with the primary object of its erection." By a tax-levy of the County of Oxford in 1848 Woodstock received $800 which was used for the erection of a brick school on Graham Street. The community was incorporated as a town on January 1st, 1851, and a year later two school-houses were erected, one in the eastern and one in the western sections. Four

teachers were accommodated in each and the attendance of pupils was about 600. From 1852 until 1896 the most active trustee was John Douglas. To his activity and enthusiasm much of the success of the Woodstock schools may be attributed.

John Galt, the founder of Guelph, established the first school in the new settlement in 1827, and the first teacher was David Matthews, a Scot from Perthshire. Other private schools were established as the community grew, but the first Board of Trustees under the Common School Act was elected in 1851. Dr. Henry Orton was chosen as Chairman. The Central School was erected in 1875 at a cost of $60,000. From 1856 until 1892 the Superintendent of Schools was Rev. Dr. Robert Torrance. One of the pioneer teachers in Guelph was Patrick Downey, who was active from 1852 to 1880.

Mahlon Burwell, Col. Talbot's surveyor, and a Member of the Assembly before the War of 1812, gave the inhabitants of St. Thomas in 1825 a lot of land thirty-six square rods in area for school purposes. On this a public and a grammar school were erected. After the opening of the London and Port Stanley Railway in 1856 a four-room school of brick was erected on the site of the present Wellington school. John McLean was its first Principal. The schools of St. Thomas were not made free until 1868.

In Chatham a school was in operation in 1832 but the public schools here, as elsewhere, had their beginnings in 1851 with the erection of a four-room building on the site of the present Central School. One of its first teachers was Norman S. Freeman.

St. Catharines first elected a School Board in 1848. It consisted of E. S. Adams, Chairman; A. S. St. John, G. Wright, A. K. Boomer, William Harris, Lyman Parsons and Samuel Haight. In 1853 two brick schools were erected, one in St. Thomas's, the other in St. George's Ward. William McClure and W. Monaghan were chosen as respective Principals. The early Superintendents of the City Schools from 1855 were Dr. Comfort, Rev. Robert Robinson, Rev. R. F. Burns, Rev. T. T. Roberts, and Rev. Dr. Cooney.

Windsor was incorporated as a village in 1854 and a Board of School Trustees was elected. The only school in existence at the time was situated on the north-west corner of Windsor Avenue and Pitt Street; it could accommodate about fifty pupils. The Board erected three schools, one for Protestants, one for Catholics and one for the children of coloured people. These served until 1871, when two large buildings were erected.

The first teacher in Fort William was Miss Warner, who opened a school in a frame shack during 1872. In the same year Mrs. Woodside began to teach in Port Arthur, using a vacant dwelling house. The growth of the public school systems in the Twin Cities was commensurate with the phenomenal rise of the communities.

Throughout the towns and rural districts the progress was similar to that in the larger communities, from private institutions to schools supported

partly by assessment and partly by fees, and then by 1871 to a free system open to all children of school age.

In 1842 the number of public schools was only 1,721. In 1851 this had increased to 3,001; and in 1874 to 4,758. The number of pupils attending them increased from 168,159 in 1851, to 464,047 in 1874. The amount paid for the support of Public Schools increased from $468,644 in 1851, to $2,865,332 in 1874.

Dr. Ryerson's Report of 1846 said: "There cannot be good schools without good teachers, nor can there be as a general rule good teachers, any more than good mechanics or lawyers, or physicians, unless persons are trained for the profession. It is now universally admitted that Seminaries for the training of teachers are absolutely necessary to an efficient system of Public Instruction,—nay, as an integral part, as the vital principle of it; this sentiment is maintained by the periodical publications in England from the great Quarterlies to the Daily Papers, by Educational writers and societies with one consent, is forcibly and voluminously embodied in Reports of the Privy Council Committee on Education, and is efficiently acted upon by Her Majesty's Government in each of the three Kingdoms. The same sentiment is now generally admitted in the United States; and several of these States have already established Normal Schools. The Excellence of the German Schools is chiefly ascribed by German Educationists to their system of training teachers. The science of School teaching forms a part of their University course,—an essential part of the Education of every Clergyman—as well as the work of more than eighty Normal Schools in Prussia alone. . . I deem it superfluous to add any laboured arguments on the necessity of a Normal School in this Province." Meantime, J. George Hodgins, for many years Chief Assistant to Dr. Ryerson, was sent to Ireland to take the full course at the Central Normal and Model Schools in Dublin. It was the hope of the Superintendent that John Rintoul, Chief Assistant in the Dublin Institution, could be procured as Head Master of the proposed Ontario Normal School, but domestic circumstances made it impossible for him to accept the appointment. On July 9th, 1847, Dr. Ryerson wrote to the Secretaries of National Education in Ireland as follows: "I this day laid before the Board of Education for Upper Canada your letter of the 17th June announcing the decision of Mr. Rintoul not to come to Canada, and the appointment by the Commissioners of National Education of Mr. Thomas Jaffray Robertson as Head Master of the Canadian Normal School in place of Mr. Rintoul. The Board very deeply regrets the loss of Mr. Rintoul's services, from which the most sanguine expectations had been entertained. . . . . We entertain no doubt of Mr. Robertson's success and usefulness."

This first Board of Education for Upper Canada to which reference is made consisted of Dr. Ryerson, Dr. Michael Power, Roman Catholic Bishop of Toronto, afterwards elected Chairman, Dean Henry James Grasett, Samuel B. Harrison, Joseph Curran Morrison, Hugh Scobie and James Scott Howard. Dr. Ryerson had recommended the appointment of Bishop

Strachan as representative of the Anglican Church, but the Bishop declined, on the grounds that his appointment might embarrass rather than aid in the prosecution of the new scheme of education. He suggested that Dean Grasett be named in his place. He also gave friendly advice to Dr. Ryerson to be careful not to recommend a personal enemy for appointment on such a Board. This Board held its first meeting on July 21st, 1846, in the Education Office, which was on Bay Street "one door south of Wellington."

The Normal School was opened in the old Parliament Buildings on November 1st, 1847, with Mr. Robertson as Principal and H. Y. Hind as Assistant. By January, 1848, forty students were in attendance. The cost of putting the old building in repair for the uses of the School was about £550.

The grant of public money for the maintenance of the Normal School was £1,500 per annum during the period that it was conducted in the old Government Buildings. In 1850 the grant was supplemented by £1,000 to facilitate the attendance of students, and a sum of £15,000 was placed in the Estimates for the construction of a proper building. The Board, or Council of Public Instruction, acquired seven-and-a-half acres of land from Hon. Peter McGill for £4,500 and erected on the site bounded by Gerrard, Gould, Victoria and Church Streets, Toronto, the admirable building which is so well known throughout Ontario. Mr. Cumberland, the architect, described it as "in the Roman Doric Order of Palladian Character." The corner-stone was laid by Lord Elgin on July 2nd, 1851, and the building was formally opened in November, 1852. "During the first nine sessions of the Normal School," says J. H. Putnam, (*) "no certificates were granted which enabled the holder to teach. The Normal School graduates simply received certificates of attendance and had to submit to examination by a County Board before securing a license. It almost invariably happened that Normal School graduates were able to take a high standing at these examinations and hence Ryerson met with no serious opposition from County Boards when in 1853 he proposed to issue Provincial Certificates to Normal School graduates upon the recommendation of the Normal School Master. From 1853 to 1871 a dual system of granting certificates was in operation. Normal School graduates received Provincial Certificates of various grades, and County Boards issued certificates valid only in the County where issued. In 1871 a radical change was made by which County Boards were allowed to issue only third-class certificates valid for three years in the County where given and renewable on the recommendation of the County Inspector. Second and First Class Certificates were granted only by the Department of Education." In 1872 an attempt was made to give some professional training at Teachers' Institutes for the advantage of those who had not taken the Normal Course. This was the beginning of a movement which ended in the Establishment of County Model Schools in 1877. In these designated Public Schools students desiring Third Class County Certificates were given a course of lectures and

*Egerton Ryerson and Education in Upper Canada.

stood until the construction of the City Hall. A list of the private schools for girls during fifty or sixty years would be merely a catalogue of names, even if its compilation were possible. They did not greatly differ one from the other. The pupils were taught Music, French, ornamental needlework, "the use of the globes," and were formed on the Victorian model of feminine grace. Becky Sharp attended just such a school.

Dr. MacMurchy, so long the head-master of the Jarvis Street Collegiate Institute, or as he much preferred to call it, "The Old Grammar School," exerted a strong influence upon education both in Toronto and Ontario. A fine scholar himself, and a strong disciplinarian, he impressed his ideas upon many generations of pupils, and through the medium of *The Educational Monthly,* of which he was for many years the editor and proprietor, he was an important factor in the educational life of the Province.

He was for many years Secretary of the Ontario Teachers' Association and afterwards President of the Ontario Educational Association. Smith and MacMurchy's Arithmetic, long a familiar school book, was one of the first mathematical text-books written in Canada. Dr. MacMurchy's handbook of Canadian Literature is still a useful manual.(*)

Sixty-six thousand acres of Crown Lands were set aside by Sir John Colborne in 1829 as endowment for a classical school for boys, after the model of the English Public Schools. The Home District Grammar School, for lack of sufficient Government aid, was unable to provide an adequate staff or suitable buildings to do the work among the young that the Governor considered necessary. Sir John, before coming to Canada, had been stationed in the Island of Guernsey and had had an important part in the reorganization of the Elizabeth College, an old but somewhat decayed educational foundation of the island. The needs of York and of the Province were plain to him, especially since the charter granted to King's College had roused such clamourous opposition on the part of reformers and dissenters alike that its withdrawal was found necessary in the interests of tranquillity. The Governor no doubt perceived that the question of University establishment would be settled the more easily if there were a secondary school of approved standard, preparing boys for entrance to an institution of higher learning, and capable, if need be, of carrying on some University work itself.

Accordingly Upper Canada College was established. Tenders for the construction of buildings were invited and the Governor wrote to Dr. Jones, vice-chancellor of Oxford, asking him to select a principal and a competent staff. Dr. Jones took the advice of Rev. C. Stocker, formerly of Elizabeth

*Archibald MacMurchy, the second son of Angus MacMurchy and Elizabeth Macphail, was born on 16th March, 1832, at Stewartfield, Kintyre, Argyleshire. The family came to Upper Canada in 1840. He was educated at Rockwood Academy, the Normal School and the University of Toronto, graduated as B.A. in 1861, with the Silver Medal in Mathematics, and as M.A. in 1868. He opened the first public school in Collingwood on 25th April, 1855, was appointed Mathematical Master in the Toronto Grammar School (afterwards Toronto Collegiate Institute) in 1858, and was Rector 1872-1900. He fought at the Battle of Ridgeway on 2nd June, 1866, with the University Company of the Queen's Own Rifles, was a member of the Senate of the University of Toronto from 1877-1884 and was given a honorary Degree of LL.D. in 1907. In 1859 he married Marjory Jardine Ramsay, daughter of James Ramsay of West Port House, Linlithgow, Scotland, and had three sons and three daughters. Mrs. MacMurchy's death took place on 5th August, 1889, and Dr. MacMurchy's on April 27th, 1912.



UPPER CANADA COLLEGE IN 1829.
*(From a sketch by J. G. Howard).*

OLD UPPER CANADA COLLEGE
From a drawing by J. G. Howard, 1829



UPPER CANADA COLLEGE

College, and Rev. Charles Young, of Eton, and recommended Rev. Dr. Harris and Rev. Charles Dade, with others, whose names have been already given in the body of this work.

Russell Square, at the northwest corner of King and Simcoe Streets, was chosen as the site for the buildings. While they were in process of construction, the school was amalgamated with the Grammar School and Dr. Phillips, head-master of the latter, became vice-principal. By 1831 the new buildings were ready for occupation; modest enough structures of red brick, set in a marshy field with a surplusage of pine stumps. The first fees were £2 a quarter, with 5s. extra for pens, ink, fuel and lighting. Boys in the preparatory school paid £1 5s. The class-rooms had benches and desks around the walls, and box-stoves in the middle. The text-books were those used at Eton.

As in England, Latin and Greek were all in all. A record of an early time-table established by Dr. Harris shows that throughout the whole six forms the time allotted to the classics ranged from 15 to 19 hours a week English was taught only in the first and second forms. Six hours were devoted to French in the third form and 5½ hours to mathematics in the fourth. The "Sixth" had 17 hours of classics, 8 hours of mathematics and 3 hours of French.

The average attendance at first was about 120. Of these 84 were town boys; the boarders lived in the houses of the various masters. Discipline was rugged and the bamboo cane was the instrument of flagellation. Yet there grew up a school-spirit of the finest quality, a code of conduct established by the boys themselves which was as the laws of the Medes and Persians. Differences were settled by set fights, even as at Rugby, and cricket was introduced by Mr. G. A. Barber, who came to Canada with Dr. Harris as his assistant. But for all the copying of English methods, and the influence of English and Anglican teachers, Upper Canada College was Canadian. Tory Canadian, it is true, but still Canadian. The boys necessarily came from the upper strata of Colonial society, from the homes of officials, retired officers, professional men and successful merchants. No other parents could afford the fees. Thus, the percentage of students coming from among the Reformers was small. Many and evil were their school-experiences amongst a body of ardent juvenile Tories. When the Mackenzie rebellion broke out there was a desire expressed by even the youngest to march in a body against the invaders. Dr. Harris entertained the juvenile spokesmen to cake and wine and advised them to go home.

Dr. John McCaul was principal from 1839 to 1843, retiring to become President of King's College. In his time upper-school boys were reading Œdipus Rex and the Ars Poetica, and dallying with elementary Conic Sections. The administration of the College had been in the hands of the King's College Council and the expenditures overran the available revenue. The annual cost of maintenance was between £6,000 and £7,000 a year. The land-value of the endowment was low and the fees were only a drop in the

bucket. In 1839, after only ten years of existence, the College was in debt to an amount of £30,000. Ultimately this obligation was cleared by rising land-values, but the financial state of the institution long gave aid and comfort to its enemies. There was never a time when criticism of Upper Canada College wholly failed. The advocates of a more general education for the masses of the people protested against Government aid to an institution designed only for the rich. Non-conformists objected to its thoroughly Anglican atmosphere. Reformers found it a mere nursery of Toryism after the Strachan-Robinson model.

In later years when the Educational System of Ontario was devised and the High Schools were beginning to train boys for University, the complaint was made that there was discrimination in the examinations in favour of Upper Canada College boys. The accusation was unfounded, but it was made. Undoubtedly the existence of the College stimulated the work in the High Schools, as the High Schools influenced the outlook and the course of study at the College. The institution has been blessed by a succession of brilliant principals, such as F. W. Barron, M.A., 1843 to 1856; Rev. Walter Stennett, 1857 to 1861; G. R. R. Cockburn, M.A., of Edinburgh and Leipsic, 1861 to 1881; John Milne Buchan, M.A., 1881 to 1885; George Dickson, M.A., 1885 to 1895; George R. Parkin, the publicist and Imperialist, from 1895 to 1902; Henry W. Auden, M.A., 1903 to 1916, and the present Principal, Dr. W. L. Grant. The assistant masters also have been men of the highest type. Between 1868 and 1874 the second Mathematics Masters were John A. Paterson, James MacLellan, Rev. Arthur Sweatman, afterwards Bishop of Toronto, and Alfred Baker, later of the Department of Mathematics in Toronto University.

The old buildings at King and Simcoe were deserted in 1891 for the splendid College site at the head of Avenue Road.

Albert College, Belleville, is a secondary school of high rank, established by the Methodist Episcopal Church in 1857 under the name of the Belleville Seminary. It is a denominational school in its management, but it is open to students of all classes. The buildings are spacious and convenient and private benefactors of the Methodist Church have done well by it. The College is affiliated with Victoria.

The Royal Military College was established by the Dominion Government in 1876 at Kingston. The Commandant and military instructors are all officers on the active list, and in addition there is a complete staff of Professors for the civil studies which form a large proportion of the course. The programme in mathematics is exceptional and excellent instruction is provided in Civil Engineering, Civil and Hydrographic Surveying, Physics and Chemistry. The discipline of course is strict and the students by the time of their graduation are soldiers of the highest quality. Seven Commissions in the British Army are regularly awarded annually as prizes. Students are admitted to the College by competitive examination, not by territorial nomination as at West Point.

Bishop Ridley School at St. Catharines and Trinity College School at Port Hope are Anglican foundations. Alma Ladies' College at St. Thomas and the Ontario Ladies' College at Whitby are Methodist, and in many of the cities are to be found private schools of excellent standing.

In 1876 Dr. Ryerson retired from office and at his recommendation the Department of Education was placed under the control of a responsible Minister. In a letter to a friend the former Superintendent thus explained the principles upon which he had conducted the educational affairs of the Province for upwards of thirty-one years: "During the long period of my administration of the Department I knew neither religious sect nor political party—I knew no other party than that of the country at large—I never exercised any patronage for personal or party purposes. I never made or recommended one of the numerous appointments of teachers in the Normal or Model Schools, or Clerks in the Education Office except upon the ground of testimonials as to personal character and qualifications and on a probationary trial of six months. In this way, only competent and trained persons were appointed to the Normal and Model Schools and to the Education Office when a vacancy occurred by resignation or death. Each employe below the one who had resigned or died was advanced a step if deserving; and the most meritorious lad was selected from the Model school, or on other testimonials, and placed at the bottom of the list, and trained and advanced according to his merits in the work of the Education Department. Each one thus felt that he owed his position not to party or personal patronage or favour, but to his own merits, and respected himself and performed his duties accordingly. I believe this is the true method of managing all the Public Departments and every branch of the public service."

Hon. Adam Crooks, who succeeded to the control of the schools, took his duties seriously and in the first year of office made an extended tour of inspection throughout the Province. He was sufficiently generous and single-minded to pay a public tribute to the work of Dr. Ryerson and to maintain intact the organization as he found it. He established County Model Schools on the plans which already had been prepared and sent James L. Hughes to St. Louis to report on the Kindergarten method of teaching primary pupils. It was on Mr. Hughes's recommendation that the Kindergarten was established in the two Normal Schools. Hon. Mr. Crooks also secured from the Legislature a grant to pay the travelling expenses and one-half the maintenance of students taking the Normal course.

The illness of Hon. Mr. Crooks made it necessary to appoint a successor, and Hon. A. S. Hardy was named on January 19th, 1883. This was a temporary appointment, for in December of that year George W. Ross, ex-teacher and Inspector, and ex-Member of the Dominion Parliament, was elected to the Legislature, raised immediately to Cabinet rank, and made Minister of Education. Thus began a notable work—sixteen years of sound and careful administration, based on real enthusiasm for the work. In Sir George Ross's reminiscences (*) is found a catalogue of the Educational

*Getting into Parliament and After.

Changes effected during his administration. It includes the establishment of the Kindergarten, the authorization of Courses in Household Science and Manual Training, the reduction in the number of text books and their manufacture in Canada, the establishment of technical schools in Toronto, Brantford, Stratford, Hamilton and Kitchener, the opening of a Normal School in London and of a Normal College at Hamilton, and the general raising of the standard of professional certificates.

By the Public Schools Act of 1885 the parent or guardian of every child not less than seven years nor more than thirteen years of age was required to send such child to an elementary school, whether public or private, for at least 100 days in each public school year.

When Hon. Mr. Ross became Prime Minister he was succeeded as Minister of Education by Hon. Richard Harcourt, a well-informed and capable administrator and ex-Inspector, particularly interested in technical education. On the defeat of the Ross Government in 1905 Hon. Dr. R. A. Pyne became Minister of Education, and Dr. A. H. U. Colquhoun became Deputy Minister, filling the vacancy caused by the death of John Miller, an accomplished official.

Complaint had been made by the Opposition in the Legislature during the latter days of the Ross Government concerning the quality and price of school books. Soon after the change of Administration, Dr. R. A. Pyne being Minister, a Commission was appointed, consisting of Thos. W. Crothers and John A. Cooper, to inquire into the reasonableness of text-book prices. The Commission reported that the books authorized by the Department were of an inferior quality, from a mechanical viewpoint, and that an unreasonable profit had been made by the publishers during a period of over twenty years. The Government ordered the preparation of a new set of text books, and by competitive tenders on a rigid specification as to quality were able to procure books at prices far lower than before.

On July 20th, 1841, Solicitor-General Day introduced in Parliament a Bill "to make provision for the establishment and maintenance of Common Schools throughout the Province." There was strong suspicion throughout Upper Canada, particularly among churchmen, that secular instruction alone was contemplated. Accordingly petitions began to come in urging that the English Bible should be made a text-book in these schools. Some petitions were careful to say that the whole Bible should be used, not a series of "garbled extracts." Against this propaganda there was naturally some opposition on the part of members from Lower Canada and the Government found itself in embarrassment. A special committee was named to consider the whole question, and bring in the draft of a Bill. It happened that fourteen out of twenty-two of the members of the committee were from Lower Canada, though only five were French-Canadians. Out of the deliberations of this Committee came the first legislation providing for Separate Schools. The minority in any school section was given the right to signify dissent in

writing, stating the names of the persons they had chosen to serve as trustees. The grant was to be divided between the two classes of schools in proportion to the number of their supporters.

The Act was found to be unworkable in Lower Canada and unsatisfactory in Upper Canada. It was replaced in 1843 by a statute which provided an Education Office for Upper Canada and a Council of Public Instruction, but neither had more than advisory powers. The office had no definite authority over the municipal school boards, in the matter of text-books, or in the choice of teachers. Its sole duty was to apportion the grant of £20,000 a year. As a result of this extreme decentralization, the Province had, in the words of Chancellor Burwash, "miserable school houses, haphazard school-books and poor teachers."

The Separate School clauses of the Act of 1843 provided that in all cases where the teacher of a Common School was a Catholic, the Protestant inhabitants were entitled to have a teacher of their own religious persuasion, upon the application of ten or more resident freeholders or householders of any school district. Similarly, if the teacher were a Protestant, the Catholic inhabitants could apply for a Separate School. Such schools would be entitled to their just share of the grant and would be subject to the visitations, conditions, rules and obligations provided for Common Schools.

The legislation of 1846 re-enacted the existing law relating to Separate Schools.

When the Roman Catholic diocese of Toronto was constituted in 1842, Father Michael Power became the first Bishop. He was chairman of the Council of Public Instruction, or Board of Education, for Upper Canada, when the Normal School was building and signed the first Circular to the municipalities of the Province from the Education Office at Toronto relating to that institution. "The Board of Education earnestly hope that this subject will receive the favourable consideration of the several District Councils, and to their early as well as patriotic and benevolent attention we earnestly recommend it. It is the purpose of the Board to educate young men for Canada as well as in it." The signatures were: Michael, Bishop of Toronto. Egerton Ryerson, H. J. Grasett, S. B. Harrison, Jos. C. Morrison, Hugh Scobie and J. S. Howard.

Bishop Power died in 1847 from a contagious disorder then prevalent and was succeeded by Bishop de Charbonnel, who carried out and expanded some of the plans respecting the teaching Religious Orders made by his ardent and devoted predecessor.

By legislation of 1847 Boards of Trustees in cities and towns were given the power to determine the character of the schools, as to whether they should be Denominational or Mixed, but the Board was no longer to be composed of equal numbers of Protestants and Catholics. Supporters of Separate Schools strongly objected to being put in such a position, and amendments were demanded.

During the Session of 1849, which terminated with the burning of the

Parliament Buildings in Montreal over the Rebellion Losses Bill, a School Act was passed which seemed likely to restore some of the unsatisfactory conditions of 1843. The Ministry was hostile towards Dr. Ryerson and showed that hostility, not only by seeking to undo his work, but by reducing his salary from £520 to £420. This Act forbade the use of the Bible as a text-book, but withdrew the clauses permitting the establishment of Separate Schools. Fortunately second thoughts were best, and on the advice of Hon. Robert Baldwin, the Governor disallowed the statute.

In 1850 an amending Act was passed providing that Separate Schools might be established by Protestants, Catholics or coloured people, that the trustees should be elected by the dissenting electors only, that a just proportion of the school fund should be appropriated to such schools, and that full returns should be made from year to year to the Department of Education. It was made the duty of the Common School Board to authorize the establishment of a Separate School on the application of twelve residents, but only if the teacher of the Common School was not a co-religionist.

In the latter part of 1850 the Roman Catholics applied for a second Separate School in the City of Toronto. The Board of School Trustees refused the application, declaring that the Act of 1850 did not require them to permit the establishment of more than one, since the City was a school district. Application was made to the Courts for a *mandamus,* but the judgment supported the opinion of the Toronto Board. Upon this Bishop de Charbonnel wrote to Dr. Ryerson in June, 1851, "I see with full hope that the redress of the wording of the clause in behalf of the City Catholic Separate Schools is in your hand and heart." The case was one where the spirit of the legislation was defeated by the letter, and in consequence Dr. Ryerson drafted an amendment which was adopted during the Session of 1851. By this amendment the right to a Separate School in each ward of a town or city was made definite.

Up to this point the relations between the Chief Superintendent of Education and the ecclesiastical authorities of the Roman Catholic Church had been soundly based on mutual respect. But in February, 1852, Bishop de Charbonnel had made an episcopal visitation to Chatham, and there he found conditions that in his opinion required immediate reform. He wrote to Dr. Ryerson on March 7th to say that the negroes of Chatham were incomparably better treated than the Catholics. The Catholic School, although attended by forty-six pupils, had received only £4 10s. of Government money, and Catholic taxpayers had been assessed for the building of a Common School. He added that Goldsmith's "anti-Catholic History of England" was used in one of the mixed schools as a text-book. His Lordship concluded: "Am I not right to call our most deplorable system of education a regular disguised persecution?"

Dr. Ryerson in reply declared that Goldsmith's "very defective history" had not been sanctioned by the Council of Public Instruction and that the law expressly provided that a pupil should not be required to read from

any book which should be objected to by his parents. The reason for the small contribution of public money to the Chatham School lay in the fact that it had not been long enough established for the adjustment to be made. The Superintendent pointed out that the law did not exempt the Catholic ratepayer from contributing to the erection of Common Schools, because there was no guarantee that a Separate School once established would be continued. Such a Catholic School ceased to exist legally as soon as the Public School Trustees employed a Catholic teacher in the Common School.

Bishop de Charbonnel in rejoinder protested against such conditions and was uncommonly forceful in utterance. He assailed the Common School system as "a chimera, a mixture, a school of pyrrhonism, of indifferentism, of infidelity, and consequently of all vices and crimes." His Lordship referred to the statement of Guizot that the best school of respect towards authority was the Catholic School, and mentioned the large number of primary schools in the city of Rome. His letter (of March 24th, 1852) ended "since we are under the blessed principles of religious liberty and equal civil rights, we must have and we will have the full management of our schools, as well as Protestants in Lower Canada, or the world of the 19th Century will know that here, as elsewhere, Catholics, against the constitution of the country, against its best and most sacred interests, are persecuted by the most cruel and hypocritical persecution."

Dr. Ryerson, replying, was very dignified, very vigorous and uncommonly long, but he was by no means dull. Of his power in controversy take this instance: he reminded the Bishop that in Rome where respect for authority was so thoroughly taught, there had been a revolution and that authority was then maintained only by the bayonets of France and Austria. The Superintendent regretted that His Lordship had departed from the example of Bishop Power and had "introduced from the Continent of Europe a new class of ideas and feelings among the Roman Catholics of Upper Canada." He defended the Common Schools from the imputation of the Bishop and reminded him that the Trustees throughout Upper Canada were at that time employing 390 Roman Catholic teachers.

On the 1st of May the Bishop returned to the charge with a complaint that Dr. Ryerson had addressed to him "personalities and insinuations," which he repelled as unworthy of the writer or the recipient of the letter. He continued: "My previous intercourse with you and the Council of Public Instruction has been polite and Christian, and sometimes tolerant to an extent that I have been required to justify. My last letter was energetic only after eighteen months of observation and patient representations against a school system which my conscience as a Catholic Bishop rejects with all my might . . . a system which is for us Catholics a disguised persecution unanimously and strenuously condemned by other bishops as well as myself." His Grace made the claim at the end of the letter that Our Lord had confided the mission of instruction to no others than the apostles and their successors to the end of time. He quoted also certain Canons of the Provincial Councils

of Baltimore favouring the more complete control by the clergy of the education of Catholic youth.

A week after this letter was written Bishop de Charbonnel attended the Plenary Council of Baltimore at which appeared practically all the Bishops of the Roman Catholic Church in America. The thirteenth Canon passed by that Council exhorted all Bishops to have a Catholic School in every parish and declared that the teachers should be paid from parochial funds. It reaffirmed the decision of previous Provincial Councils, and thus in a measure gave endorsation to the position the Bishop of Toronto had taken.

There was a material difference, however, between the situation in the United States and in Canada. There was no possibility in most of the States of avoiding a tax impost for the maintenance of National Schools. In Canada the marked difference between the people of Upper and Lower Canada had made concession and mutual give-and-take a necessity if any national system of education was contemplated.

While Canada was administered as a Crown Colony men of English or Scottish origin had established and organized the national and international commerce of the country. The shareholders of the Northwest Fur Company were mainly Scots, and the financial founders of Montreal and Quebec had English-speaking forebears, either from amongst the Loyalists of New England or from across the sea. There never was a time when this group of leaders was not a minority in Lower Canada. But it was a minority so influential, that, when possible, Government deferred to its opinion and sought to meet its wishes. In the matter of primary education the Lower Canada minority, being mainly Protestant, insisted upon Separate Schools and secured just treatment in this respect.

In Upper Canada the minority was Roman Catholic. Clergy and laity insisted that concessions to the Protestants of Lower Canada should be balanced by equal concessions in the English-speaking Province. The logic seemed to be sound. The appeal to British fair play was impressive, and in the main fruitful.

Upper Canadians who were opposed to Separate Schools contended that the two Provinces were not in a parallel situation. That they were justified in this claim, and still are justified in it, is shown by a quotation from a speech by Mr. Leo Pelland before L'Association Catholique de la Jeunesse Canadienne-Française meeting in convention at Three Rivers in 1913. Mr. Pelland said: "Despite real and occasional exceptions the system of public instruction in the Province of Quebec places the school outside the supervision and control of the State. In the sister Province, Education is under the Civil power, recognized by law as the supreme directing authority."

In the *Histoire du Canada* published by The Christian Brothers, and used in their teaching, the following paragraphs summarize the movement that prevented the establishment of a State system of public schools in the Province of Quebec: "Dorion proposed to apply exclusively in primary teaching the revenue from the Jesuit estates. This amendment was lost.

The ultra-Liberals desired to establish a system of mixed schools, under the pretext that separate schools could exist only to the detriment of common schools, and that they gave too much influence to the Catholic clergy. Despite the efforts of Brown, Dorion, Papin and the advanced democrats favourable to mixed schools, their anti-religious sentiments did not prevail. Papin went so far as to pretend that education provided by the State in a country where many conflicting sects were found should be intellectual and moral without being religious."

Thus the elementary school satisfactory to the majority in the Province of Quebec is frankly a Catholic institution. The aim of the leaders of Upper Canada in the '50's was to develop a system of non-sectarian common schools after the Irish or American model, and not to create distinctively Protestant institutions. Those advocating this plan had no desire to be unfair to any creed, a fact which is proved by the engagement of Roman Catholic teachers in the Common Schools of Upper Canada.

Ardent Anglican ecclesiastics were no better pleased with this conception than the Roman Catholics. With ardour and enthusiasm they battled against Dr. Ryerson and all who gave him any measure of support. It was inevitable that controversies should arise, that concessions should be claimed and resisted. National schools and Church schools were based on opposing theories which never could be completely harmonized.

Dr. Ryerson, in answering Bishop de Charbonnel, was disposed to pay but little attention to the Baltimore Council, since it was mainly composed of "foreign ecclesiastics," and answered the charge of injustice in the distribution of school moneys as follows: "The Board of School Trustees in the City of Toronto have caused a very careful inquiry to be made into the census returns and tax rolls of the city in order to ascertain the comparative amount of taxes paid by Roman Catholics and Protestants. The result of that inquiry is that while one-fourth of the entire population of the city is returned as Roman Catholics, a fraction less than one-twelfth of the taxes is paid by them."

The end of the controversy between the Bishop and the Chief Superintendent was what might have been expected. On May 22nd, 1852, Bishop de Charbonnel wrote as follows: "Reverend Doctor: The conclusion of our correspondence must be that our opinions on Separate Schools are quite different. But I hope that by making use of all constitutional means in order to obtain our right, I will not upset the Government of Canada nor its institutions. I have the honour to be, Rev. Doctor, Your obedient, humble, servant." Dr. Ryerson's final word was that the course now pursued by the Bishop had arisen from the adoption on his part of a new policy and the avowal of new sentiments and objects.

That the Superintendent was not embittered by criticism or turned aside from his duty of administering the law as he found it is made evident by certain correspondence of 1853 with reference to the proposed establishment of a Separate School in St. David's Ward, Toronto. The application had

been refused by the Trustees because already there was a Catholic teacher on the Public School staff in that Ward. Hon. John Elmsley wrote to Dr. Ryerson: "There are now nearly three hundred children of Catholic parentage in St. David's Ward. There are six teachers in the Ward employed by the Board, only one of whom is a Catholic. Can it be possible that the Legislature contemplated that so many pupils should be deprived of the benefit of a Separate School upon such a ground?"

In reply Dr. Ryerson said that the law clearly assumed the existence of only one teacher in a school. "I do not think," he said, "that the employment of one Roman Catholic among several teachers of a Common School in St. David's Ward precludes the Roman Catholic heads of families whom you represent from having a Separate School if they desire it."

The reference of Bishop de Charbonnel to the taking of all constitutional measures to obtain justice after the Catholic conception of that word foreshadowed political action. "Catholic Institutes" were established in many constituencies during 1853 and 1854 to forward the interests of candidates favourable to Separate Schools, and naturally the other party organized in opposition. There was great bitterness, as always when a religious question is at issue.

In brief, the demands of the Roman Catholics were these: 1. The placing of Separate Schools under the supervision of one official not hostile towards the System; 2. The right to have one trustee for each city ward and one Separate School Board; 3. That a school might be established on the demand of three heads of families; 4. That Separate Schools should have a share of all school taxes and municipal school funds in proportion to the Catholic population; 5. That Catholics should be freed from contributing to Common School buildings or libraries.

Legislation under the name of The Supplementary School Act was passed by Parliament in 1853 containing a Separate School clause that was a distinct improvement on previous laws, but did not go all the way mapped out by the Roman Catholic leaders. It provided that supporters of Separate Schools were to be exempted from Common School rates; that the Legislative grant was to be distributed according to average attendance; that Separate School trustees were to have access to the assessment rolls, and were to be a corporation with powers to impose and collect school rates from Separate School supporters; that supporters of Separate Schools would be debarred from voting at the election of Common School Boards.

The old requirement that the teacher of a Common School must be of differing creed from the minority before a Separate School could be demanded was abandoned. Dr. Ryerson in reporting upon this legislation declared that no further concessions could be made without endangering the whole national school system and violating individual and municipal rights. He added: "After the passing of the Act the Roman Catholic ecclesiastics and the press under their control expressed their satisfaction

with, and eulogized the Separate School section of it. But some of them soon recommended an agitation on new issues."

There is little advantage in summarizing other controversies between the keen-minded, incisive, Roman Catholic leaders and the Chief Superintendent of Education for Upper Canada. They all ended in the same manner. Each was of the same opinion still. It is probable that no supporter of Public Schools was convinced by the cogent and powerful reasoning of Bishops and Vicars General. Clearly also the Roman Catholic authorities dissented from the argument of Dr. Ryerson and firmly resisted its convincing power. It is unfortunate that each side was betrayed into extreme statements, the one concerning the immoral tendency of the Public School, the other against the good faith of the advocates of Separate Schools, for resentment was born of such utterances and the lines of cleavage were made deeper and broader. Upper Canada would not have Church-ruled schools. Lower Canada would not have State-ruled schools. Neither could impose its will upon the other.

But Lower Canada influence was continually exercised in Parliament to secure for the Upper Canada minority all that it desired with reference to Separate Schools. In 1854 Bishop de Charbonnel, in company with the Bishop of Kingston and the Bishop of Bytown (Ottawa) printed a table showing the apparent differences between the Separate Schools of Upper Canada and Lower Canada and prepared a draft bill which was circulated amongst members of the Legislature. Dr. Ryerson replied to this table intimating that it was unfairly compiled and declared that the draft bill was designed to destroy completely the Public School system. Events showed that his apprehensions were not justified, for when, after years of struggle, the main demands of this draft were finally crystallized in the legislation of 1863, the Public Schools continued to flourish and increase.

This Act was a vested right of Catholics when Confederation came and it was confirmed by the British North America Act.

Only one dispute arose out of the legislation of 1863. Two years afterwards a Government inspector was refused admission to a Roman Catholic Separate School in Kingston. In 1871 Archbishop Lynch wrote to Dr. Ryerson: "To our great amazement we find that our Separate Schools are visited by the Inspector of Common Schools. We take this occasion to protest against this intrusion, as it is contrary to the spirit of the law establishing Separate Schools; and we will be obliged to give notice to the Trustees not to receive those visits; not that we are afraid of them, but we do not want their interference."

Dr. Ryerson pointed out in reply that section 26 of the Act specifically provided for such inspection and added: "Every Government ought to possess and exercise the right to inspect at its discretion the doings of every school or institution aided out of the public revenues of the country." His Grace the Archbishop in a courteous note withdrew his objection. Since 1882 it has been usual for the Government to assign this duty to a Roman Catholic inspector.

At the time of Confederation 161 Roman Catholic Separate Schools were found in Ontario, with 18,924 pupils, and 210 teachers. The official records of 1920 showed 559 schools, 74,833 pupils and 1,586 teachers. The Legislative grant increased during the same period from $9,993 to $90,047; the municipal grants or assessments from $26,781 to $1,257,992.

In the earlier days of the Province there was no great enthusiasm for education amongst the Roman Catholic laity. While the ecclesiastics were striving for guarantees, legal and official, many Catholics looked on only with a languid interest. This condition perhaps justified the opinion of Dr. Ryerson that in time Separate Schools would die out, and that all classes and creeds would be able ultimately to make use of the Common Schools, without endangering their souls' health. The Superintendent had successfully carried out his ideal in the organization of the Normal Schools, where students secure religious instruction from their own pastors at certain fixed times. The Ottawa Normal School had a Catholic as Principal and no Protestant student complained.

Perhaps if the Department had been the governing and administering body in charge of all the Public Schools, a *modus vivendi* might have been effected. But local Boards of Trustees sometimes took an attitude that was less than judicial, and Catholic authorities believed that separation was the only remedy.

It is surely true that the success of the Common Schools wakened the spirit of emulation among supporters of the Separate Schools. The continuing interest of the clergy became contagious, and in our time all important laymen of the Catholic Church are strongly in favour of making the Separate Schools educationally efficient.

In 1906 there was a judgment of the Privy Council affirming the opinion of Mr. Justice MacMahon, of the Ontario High Court, to the effect that the law touching the qualification of teachers applied equally to Public and Separate Schools; therefore that members of ecclesiastical teaching orders were not exempt from its operation. That judgment, which seemed to reveal a hardship, in the opinion of some, was distinctly beneficial. Brothers and nuns devoting their lives to teaching easily qualified, and the lay teachers in Separate Schools no longer felt that there was discrimination against them. To-day the Separate Schools of Ontario are soundly based on the pride and enthusiasm of their supporters. The era of indifferentism has passed. The inspectors report steady improvement in equipment, in organization, in teaching, and those reports are justified in the increasing success of Separate School pupils at the High School Entrance examinations.

Out of this modern Catholic enthusiasm for Separate Schools has arisen a new controversy. On the one side the claim is made that Catholics should have their own High Schools; that religious education should not cease with the elementary schools. Supporters of this view point to the unquestioned fact that the period of adolescence is the danger-point of life and declare that youths and maidens taking advanced studies should do so

under the fostering care of their Church. They may quote from Dr. Ryerson's argument in favour of denominational colleges: "Such institutions cannot be established within an hour's walk of every man's door. Youth, in order to attend them, must, as a general rule, leave their homes and be taken from the daily oversight and instruction of their parents and pastors. During this period of their education the duties of parental and pastoral care and instruction must be suspended or provision must be made for it in connection with such institutions. Youth attending colleges and collegiate seminaries are at an age when they are most exposed to temptation—most need the best counsels of religion and morals—are pursuing studies which most involve the principles of human action, and the duties and relations of common life. . . . Hence what is supplied by the parent and pastor at home ought as far as possible to be provided in connection with each college abroad."

A brief statement of the Catholic side of the argument has been secured from the Very Reverend Dean Hand, long closely associated with the Separate School Board of Toronto. He says: "There is a deep-rooted conviction in the minds of the Catholics of Toronto that the Province of Ontario has not kept faith with the fathers of Confederation. The pact by which the Provinces of Canada were brought together into one Dominion made provision for the preservation and development of denominational education in Ontario. The same rights and privileges by the Act of Confederation were guaranteed to the Catholics of Ontario as to the Protestants of Quebec. Ontario by its High School and Assessment Acts has dwarfed and starved the Catholic Separate School System. It has made it impossible for the Separate School legally to qualify its pupils for matriculation to the University and has deprived the Catholic Schools of support from the taxes of corporations and public utilities. In Quebec there is a complete Separate Protestant School System consisting of primary, secondary and Normal Schools supported by the Protestant ratepayers and a proportionate share of taxes of corporations and public utilities. The Catholics of Ontario do not ask for any more rights or privileges than the minority in Quebec, but they will not be satisfied with less."

The opposite view is that Section 93 of the British North America Act specifically declares that the educational privileges extended to the minority are those "by law" established previous to Confederation; that there was no High School system in Ontario of any sort until 1871, three years after Confederation, and therefore that no claim for Separate High Schools can lie. (In answer to this Catholics say that, before Confederation, Separate Schools as then established, prepared pupils for teachers' certificates and taught secondary school subjects.) Opponents of Separate High Schools also declare that corporations which are predominantly Catholic now inscribe themselves as Separate School supporters, and that the school taxes of "mixed" companies may be applied by the Directors, as they choose, to the schools favoured by the majority of the shareholders. It is said with

respect to the comparison between Ontario and Quebec that the cases are not analogous. Seminaries and minor colleges in Quebec are Catholic institutions. High Schools in Ontario are not Protestant institutions, and there can be no offence to a Catholic who attends them.

Early in 1926 Roman Catholic leaders appealed to the Supreme Court of Ontario for a ruling on the right of the Province to deny Government aid to separate schools of the Secondary order. The action taken by consent of the Government took the form of a Petition of Right by the Board of Trustees of the Roman Catholic Separate School for School Section No. 2 of the Township of Tiny, which Board, for the purposes of this Cause, represented all other Separate School Boards in the Province.

The petitioners asked for a declaration that certain Acts of the Ontario Legislature were *ultra vires* since they preponderantly affected the rights of Roman Catholics to denominational schools, as guaranteed by Section 93 of the British North America Act. They contended also that all Separate School Boards had a right to conduct Continuation or High School classes because such classes had been in being before Confederation, and they pleaded that the supporters of Separate Schools should be exempt from the payment of rates for Continuation Schools, Collegiate Institutes or High Schools not established by Separate School Boards.

The case was heard by Mr. Justice Rose. In an elaborate judgment, dated May 13th, 1926, he said: "Upon the whole case my opinion is that the Statutes and Regulations impeached do not prejudicially affect any right of privilege with respect to denominational schools which the class of persons represented by the suppliants had by law in Upper Canada at Confederation." The petition therefore was dismissed.

There was an appeal by the suppliants to the First Divisional Court and judgment was delivered by Chief Justice Sir William Mulock on December 23rd, 1926, supporting the opinion of the trial-judge and dismissing the appeal. Concurring judgments were delivered by Mr. Justice Hodgins, Mr. Justice Grant, Mr. Justice Magee, and Mr. Justice Ferguson.

The Chief Justice quoted from Section 93 of the British North America Act "In and for each Province a Legislature may exclusively make laws in relation to education subject and according to the following provisions: (1) Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the Province at the Union." He mentioned that much documentary and opinion evidence had been given at the trial in regard to the conduct and government of the various kinds of schools receiving public aid before Confederation, but since the Judicial Committee of the Privy Council had declared that the right or privilege reserved in the provision was a legal right or privilege, His Lordship thought that the rights and privileges enjoyed by Roman Catholic Separate Schools within the meaning of Section 93, provision 1, were limited to those expressly conferred by the Legislature of the late Province of Canada and in force at the Union. After reviewing



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and answering various contentions by the suppliants concerning public grants for Common School purposes His Lordship cited many statutes to show that the right of the Legislature to inspect Separate Schools and lay down their courses of study had been exercised from the time of the erection of the Common School System.

His judgment concluded as follows: "I am of opinion that there is nothing in any Act passed since the Union which prejudicially affects any right or privilege with respect to denominational schools which Roman Catholics had by law in the Province at the Union, and this petition fails and should be dismissed with costs."

On April 5th, 1851, seventeen inhabitants of the Township of Sandwich, led by Julien Parent, complained to the Essex County Board of Public Instruction that the teacher in their section, a man named Gigon, a Frenchman newly arrived at the Detroit River front, knew no English. They declared that they had a right to have their children taught in English because they had "discovered by experience that French instruction alone availed them next to nothing at all, being an ornamental rather than a useful acquirement for the inhabitants of this county." A counter petition signed by the trustees of the school section (two of the three making their mark), urged consideration for Mr. Gigon since a bi-lingual teacher could not be obtained. The case was referred to the Council of Public Instruction at Toronto and, in the absence of Dr. Ryerson, the Council, Dean Grasett presiding, gave approval to an amendment of the regulations with respect to the qualification of teachers. In regard to teachers of French and German the amendment provided that a knowledge of French or German grammar might be substituted for a knowledge of English grammar, the certificate of the teacher to be limited accordingly. Thus Mr. Gigon was found to be a proper person to teach in the Township of Sandwich where French was the mother tongue of the children. Six years later Dr. Ryerson himself gave autographic approval of the principle in a letter to certain school trustees of Charlottenburg, Glengarry County. The date is April 24th, 1857: "Gentlemen, I have the honour to state in reply to your letter of the 16th that as French is the recognized language of the country as well as English it is quite proper and lawful for the trustees to allow both languages to be taught in their schools to children whose parents may desire them to learn both. I have the honour to be, Gentlemen, your obedient servant, E. Ryerson."

Political disputation on the question of bi-lingual schools gave Hon. Mr. Ross, the Minister, opportunity in his Annual Report for 1887 to review the situation. He wrote: "From the earliest organization of the Educational Department the privilege of teaching both French and German where the English language was not spoken domestically was allowed. In the regulations adopted by the Council of Public Instruction it was found "In regard to teachers in French and German settlements, a knowledge of the French or German grammar may be substituted for a knowledge

of the English grammar and the certificates to teachers expressly limited accordingly." Moreover on the 20th April, 1858, a list of books for use in French schools was sanctioned by the Council of Public Instruction and also the propriety of using native German text books suggested. In 1874 (37 Vic. Chap. 28, Sec. 61), County Councils were empowered to appoint Inspectors for forty schools in municipalities where the French or German language was the prevailing language. In 1879 the late Minister of Education authorized for use in the French Public Schools of Ontario the text-books authorized by the Council of Public Instruction for Quebec, for use in mixed schools. In 1885 (48 Vic. Chap. 49, Sec. 170), authority was given to County Councils to enlarge the County Boards of Examiners where necessary by the appointment of two additional examiners in the French and German languages. The Regulations of the Department (Reg. 24 of 1885) required that "in French and German schools the authorized Readers should be used in addition to any of the text-books in either of the languages aforesaid. Instructions were also given to Inspectors of Separate Schools to see that English was taught and a syllabus of an English course for French schools prescribed. Before 1885 there had been no effort made by regulation or circular to secure the study of the English language in the French schools. In 1886 an attempt was made to open a model school in Eastern Ontario for the express purpose of training French teachers how to teach English. The proposed conditions were that the Principal and his two assistants should teach both French and English. The scheme failed because no competent Principal could be found to teach both languages but it is to be hoped that it may yet succeed."

In the autumn of 1889 after three years' search a qualified principal with two assistants were found, and the school was organized. In that same year the Government named a Commission, Professor A. H. Reynar of Victoria College, Rev. D. D. McLeod of Barrie, and J. J. Tilley, Inspector of Model Schools to investigate the condition of French and German schools. The Report of the Commission found that the schools of Eastern Ontario were in the least satisfactory state. Where the French had the majority and elected the trustees, the English minority soon had cause for complaint. Where the teachers and the Trustee Boards were of English speech, the French farmers objected. As a rule where the French dominated, the teachers had themselves but little schooling and were wretchedly paid. Of sixty-nine teachers in Prescott and Russell only three had attended a High School, and two a Model or Normal School.

In 1893 there was another investigation by the same Commissioners, which tended to show that the school conditions in the French region of the Province were showing some improvement. The Plantagenet Model School in particular was highly praised. Then came from Ottawa a trumpet note which brought all the politicians into action once again. English-speaking Catholics of the city made a public protest at the methods adopted by the French Catholics in the Ottawa Separate Schools. The French had

a majority of electors, while the Irish held the bulk of assessable property. The money of an Irish-Catholic voter was used to make the schools French and to lower the efficiency of English teaching as compared with the Public Schools. It was an old quarrel. Years before this, Ottawa College had been an English-speaking institution; a policy of "peaceful penetration" had made French dominant, and the Irish were deeply angered.

One of the most eminent of Ottawa Irishmen, one who had served with great acceptance as parish priest of St. Patrick's Church, was Bishop Fallon of London. In the early summer of 1910 the Bishop was making a pastoral visit to Sarnia and asked for an interview with Hon. W. J. Hanna, the Provincial Secretary, who resided there. The nature of the interview was so striking that Hon. Mr. Hanna recorded it in a confidential letter to Hon. R. A. Pyne, the Minister of Education. Through the nationalistic but injudicious zeal of a Civil Servant of French extraction this letter was copied and in October, 1911, was given to the French press of Quebec.

Mr. Hanna reported His Grace as saying that he had resolved, so far as was in his power to cause to disappear, every trace of bi-lingual teaching in the schools of his diocese. The interests of the children demanded that bi-lingual teaching should be disapproved and prohibited. He was assured that there were children going to public schools in Essex who were unable to speak English. He added that the argument in favour of having a French master in French-speaking districts was the argument of clerical or political agitators. He was able to deal with the clerical agitator but he could not control the political agitator without the aid of others. After the publication of the letter the Bishop made a public statement saying that there was nothing confidential in his conversation with Mr. Hanna. He declared that in French-speaking communities boys were leaving school without a working knowledge of either language and he closed with the forceful declaration that the bi-lingual school system taught neither English nor French, encouraged incompetency, gave a prize to hypocrisy and bred ignorance.

There was no inconsiderable tempest over the words of the Bishop. French newspapers used language even more forceful than his and showed no concern whatever for the episcopal mitre and crozier. Orangemen approved, and uni-lingual politicians exercised themselves beyond all whooping. In consequence the Government appointed Dr. F. W. Merchant to make a detailed investigation. It began in November, 1910, and was completed in February, 1911; altogether it was a dispassionate, careful and worthy study of a serious problem.

Dr. Merchant visited 33 Separate and 16 Public Schools in Essex County, 4 Public Schools in Kent, 66 Separate Schools in Ottawa and Russell County; 52 Separate Schools in Prescott County; 34 Public Schools in Prescott and Russell; 60 schools in the Northern Ontario Districts, and others—a total of 269 schools with 538 teachers. Seventy-six English-French schools he did not visit, but he assured himself by correspondence

that they did not differ materially from others in the neighbourhoods which he had seen. A number of tests were applied to measure the standing of each school, and Dr. Merchant's general conclusion was that the English-French schools on the whole were lacking in efficiency. He was particular to except from this judgment certain schools in Plantagenet, North Colchester, Hanmer; in Amherstburg, North Bay, Vankleek Hill, Windsor, and some in Ottawa.

He found some of the causes for inefficiency in irregularity of attendance, in lack of academic and professional training among the teachers, and in the diffusion of a curious notion that the Separate Schools were not subject to regulation by the government. In recommending a programme for the improvement of bi-lingual schools Dr. Merchant suggested that when French was the child's mother-tongue, French should be the language of instruction in Form I. but English lessons should begin immediately, and as soon as practicable English should be the language of communication.

In consequence of this Report the Department issued in February, 1912, a circular of Instructions respecting the administration of English-French Schools. This circular, better known as Regulation Seventeen was revised and re-issued in August, 1913. It declared that French might be the language of instruction and communication for Form I. but that such use of French should not be continued beyond Form I., except on the approval of the Chief Inspector. English-study must begin as soon as the French pupil entered the school. French reading, grammar, and composition might be studied for not more than one hour a day, if parents and guardians so directed. Here again the Chief Inspector was given discretionary powers.

The Department officers considered that one-sixth of the school-time was a reasonable allowance for formal French study, in view of the fact that the pupils used French at home and on the playground, and English only in the school. How otherwise there could be any possibility of giving the pupils a grounding in English who can say? The promulgation of this Regulation was the signal for an outbreak of nationalistic hysteria. Persons who might come under Bishop Fallon's classification—"clerical and political agitators"—writing in the French press of Ottawa and Montreal or speaking from a hundred platforms misrepresented the motives of the people and government of Ontario, attributing to them a desire to extinguish the French language in this Province. They spoke of "persecution," "suffering," of "the proscription of French;" one sentimental personage in a flash of inspiration coined the expression "the wounded of Ontario" and began soliciting subscriptions in the Quebec parishes for their relief. The constant clamour in Quebec and in Ottawa was matched by the noise of certain Ontario extremists who announced that the teaching of French should not be permitted in any school under Provincial jurisdiction. It was a gas-attack on both sides.

There were some results that were regrettable—strikes by children of bi-lingual schools (under clerical or political stimulation), the mulish atti-



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THE GRANGE AND THE ONTARIO ART SCHOOL, TORONTO

tude of the Ottawa Separate School Board, which necessitated suspension by the Government, heavy expenditures for legal action unnecessary and unprofitable to the complainants. Through it all the Department rested on its policy; refused the grants to schools that would not conform; and met in generous mood all trustees who were willing to give the law a trial. No official reports have been printed as to the progress of bi-lingual schools, but it is not denied by Northern Ontario residents that the observance of the Regulations is having an excellent effect in producing boys and girls who speak both French and English and have an excellent grounding in each.

After the death of Sir James Whitney in 1914 the Government was reorganized. Sir William Hearst became Prime Minister; Dr. Pyne and Hon. W. J. Hanna retired. Rev. Canon Cody, an active and popular Anglican clergyman of Toronto, accepted the post of Minister of Education and brought to the office, wisdom, diligence and enthusiasm. After the debacle of 1919 when the United Farmers came into office he retired, to be succeeded by Hon. R. H. Grant. The present Minister is also the Premier of the Province, Hon. G. Howard Ferguson. It is only fair to say that in all these changes the Department has been maintained on a non-partisan basis and has pursued steadily the general policy laid down by Dr. Ryerson, Dr. Hodgins, John Miller and Dr. John Seath.

Thirty years ago everyone in Ontario was convinced that Egerton Ryerson was a great man. Today there are many doubters; for the most part among the "Intellectuals." School administration in Ontario is centralized and autocratic (they say) and Ryerson was the one who began it. Therefore they look upon him as a man who, at least, ought to be explained before he is admired. The "Intellectual" of our day has an itch for Reform. He is able to find faults in most established ideas and systems—though for that purpose superior intelligence is not necessary—and his remedy is to eradicate those ideas and systems and plant others; as if one should burn down a house to correct the evil of a broken window. Criticism is easy; the men who discover serious faults in the Ontario Educational System are in exactly the same position of Egerton Ryerson before 1840. He found the schools of his day faulty. But unlike our haughty moderns he set about improving them, bringing to the task singleness of purpose and a resolute mind.

Born on a farm within a half-mile of Vittoria, Egerton Ryerson was able as a boy to attend the London District Grammar School conducted by James Mitchell, a Scottish classicist. Then two wandering teachers, one English and one American visited the neighbourhood giving a course in English grammar. Egerton was permitted to attend the lectures. He wrote years after: This whole course of instruction by two able men who did nothing but teach grammar from one week's end to another had to me all the attraction of a charm and a new discovery. It gratified both curiosity and ambition and I pursued it with absorbing interest until I had gone

through Murray's two volumes of *Expositions and Exercises,* Lord Kames's *Elements of Criticism,* and Blair's *Lectures on Rhetoric.* At this time he was fourteen years old! The course was repeated in the next year, and owing to the illness of one of the lecturers young Ryerson became a pupil-teacher. At the age of eighteen he joined the Methodists and by his father's decree left home rather than leave them. So he became an assistant teacher in the Vittoria school serving there for two years. In this period he "took delight in *Locke on the Human Understanding,* Paley's *Moral and Political Philosophy* and Blackstone's *Commentaries.*" During his absence from home he answered the reproach of his father that the Methodists had robbed him of his son's labour by hiring a farm labourer out of his slender earnings and sending him to the homestead. Being at last invited by his father to resume his position in the family he returned to the farm and worked like a Paladin until he was twenty-one. Then he went to study with John Law of the Gore District Grammar School at Hamilton and prepared such a quantity of Latin and Greek that he studied himself into a dangerous illness. On his recovery he entered the Methodist ministry.

By incredible labours, and without a day's residence in a College, he became a man of such erudition as to command the respect of all his associates. When he entered the field of controversy his enemies found him armed *cap-a-pie* "and e'en the ranks of Tuscany could scarce forbear to cheer."

He was born a Loyalist and a Tory, yet he became a Methodist minister. No one in these days can appreciate fully the depth of that social descent! He was bold enough to enter upon a controversy with Bishop Strachan over Clergy Reserves and an Establishment, and in the mind of the country he won it. He was Liberal on this question but Tory in his hostility towards Mackenzie's Rebellion. As Editor of *The Christian Guardian* he fulminated against Anglican monopoly in education, but when Victoria was founded he secured for it a Royal Charter. Even in religion he was conservative and liberal by turns, for he fought the reactionary policy of refusing Methodist church membership to those who neglected to meet in "class," and objected to the interference of British Wesleyans in Canadian affairs. Before he became Superintendent of Education he had shown himself to be an individual led by no one, cajoled by no one, frightened by no one. Anyone who pleased was at liberty to attack him; he measured his conduct against his conscience and rested content. His ability in the pulpit and on the platform was uncommon; his will was indomitable. Being individualistic, naturally he had charm. His personality was such as to bind friends to him forever and to placate enemies. Though a convinced egotist he was not an assertive one; though resolute he was not a bully. He was a manager of affairs, but still more a manager of men. He was never afraid to lead, but no one led him. Bear in mind that in his day the Free Schools policy was Republican in its genesis and in its practice. The

theorists said that in a country where power was in the hands of all the people universal education and unfettered press were a necessity. Thus in various States of the Union property was taxed so that any boy or girl rich or poor would have a chance of schooling. In England the education of the poor was a philanthropy, not an admitted responsibility of government, and the English conception had prevailed in Canada. It is true that many demands for elementary schools had been made, but some who had made these demands were factious demagogues, asking for what they did not expect to get.

Ryerson, U.E. Loyalist and Tory, embraced this Liberal doctrine, enunciated it in his Report of 1846, and never abandoned it. He held that all real property was taxable for the education of the people. At the same time he believed—with Anglicans and other churchmen—that religious instruction was the core of all successful education. In this respect he departed from the Republican ideal of secularism. Now after eighty years educational leaders on this Continent are coming to a complete acceptance of the theory of education which Ryerson formulated for himself.

The law of 1846 which the Superintendent inspired was hotly denounced by the District Council of Colborne, and there was much discontent among property-owners which did not find public expression. Ryerson did not complain and sulk, as a lesser man might have done. He went into every District, drove through fathomless seas of mud, and in public meetings explained the law. Being a natural politician he "went to the people" and softly compelled them to his way of thinking.

Methodism in 1846 was a narrow creed—at least as practised by its devotees. It was an extreme form of Denominationalism, hostile towards less rigid forms of Christianity; Puritan and self-satisfied. Ryerson was an acceptable and orthodox Methodist Minister. Yet he recommended as members of his consulting Board, Bishop Strachan the Anglican, and Bishop Power the Roman Catholic. Bishop Power accepted office, but Bishop Strachan sent Dean Grasett as his representative. With these ecclesiastics Ryerson lived peaceably and indeed in close friendship. He was a broad man, as well as an intense man.

Like most public men of his time Dr. Egerton Ryerson was an indefatigable letter-writer. The printed documents relating to the establishment of the Ontario School System and the evolution of the Separate Schools contain innumerable pages of his correspondence—with Bishop de Charbonnel, with Hon. John Elmsley, with Hon. Francis Hincks, with Hon. John A. Macdonald, with School Trustees in all parts of the Province. The mere physical labour of writing these interminable letters is not to be considered lightly. Yet their production was incidental to the work of organizing and administering a Department of Government directly affecting practically the entire population, and not too well understood. It was incidental to long journeys on official business at home and abroad, to the reading of endless Reports, to the preparation and delivery of important addresses.

Dr. Ryerson was a diligent man. Of that there can be no doubt. He was a man singularly definite in his thought and clear in his expression. Even in his longest letters he never became garrulous. In argument he showed a genius for sticking to the point. He could be forcible without offence. He could rebuke an opponent with courtesy. He had the gift of self-control. On one occasion before an election when he was attacked with savage persistence, he refrained from answering until the polling was over, lest he might be charged with interference in a political conflict. He measured his words. He buttressed his judgments with corroboration.

Once in a while, though not often, Dr. Ryerson let loose his satirical humour. In a letter to Hon. John A. Macdonald dated April 2nd, 1855, he referred to Mr. Angus Dallas, woodenware and toy merchant of Toronto, who had written against the school system "in the hope of inducing the religious people of Canada to prevent the board of school trustees in the city of Toronto from taxing his property to support free schools—institutions which filled Mr. Dallas's imagination with terror, and tinge the pages of his pamphlet throughout with the hue of sombre melancholy." Occasional flashes of this sort give good proof that the Chief Superintendent of Schools was not a dull man. He had spirit and temper, but he rode himself with a curb-bit, and for that cause appears too often in his papers as a bloodless, implacable reasoning-machine.

Here was his situation. There was a lively demand throughout Upper Canada for a State system of schools, which was crystallized in the legislation of 1841. For many years the Assembly of Upper Canada before the Union had given successive proofs of opposition to the policy of endowing any Church with public money or public lands. There was no reasonable doubt concerning the feelings of the majority on this question. When ecclesiastics of various Churches suggested that the schools to be established should be controlled by the "recognized denominations" and that public money should be distributed to them in proportion to population or to the number of children of school age, Dr. Ryerson resisted. He was opposed to any plan whereby the municipality as a whole should tax the people on behalf of a Church or serve as a collector. At the same time he admitted the right of the parent to prescribe the sort of religious instruction the child should have, and to object to any conditions which might imperil or controvert the child's religious feelings. In consequence the Superintendent was attacked with heartiness by Roman Catholics, by Anglicans, by moderates and by Orangemen, by Liberals and by Conservatives. Even his service to the Methodist Church, as a minister, as the Editor of *The Christian Guardian,* and as Chancellor of Victoria College, did not prevent eminent Methodists from railing upon him as Superintendent of Education. Through it all he pursued his way, having a clear notion of his duty, an encyclopædic knowledge of the law and the educational custom of other countries, and a dynamic confidence in the importance of the work he was doing. The Government recognized the value of his services by maintaining him in

office. The most eminent citizens of all classes appreciated his singlemindedness and his sense of justice, and even his opponents admired him as a chivalrous and "bonnie fechter."

James G. Moylan, Editor of *The Canadian Freeman,* a Roman Catholic paper, retired from that position in 1873. In his valedictory article he said of Dr. Ryerson: "He is essentially a man of one idea, and he is a very determined, resolute and personally courageous man. . . . As to politics, he has really none, but in free thought, in educating the masses, he does believe. From the various Educational Systems of Constitutional England, despotic Prussia, republican America, Holland, Ireland and Scotland, with the assistance of his own powerful intellect he has perfected a plan, which according to non-Catholic ideas is an improvement on all of them, maintaining their best, rejecting their worst features. He has been assailed by various Denominations and classes of our citizens, by dissatisfied freeholders, by childless ratepayers, by representatives of churches, by Grit and Conservative newspapers, by politicians and by administrations holding opposite views, and yet he has managed to stand his ground, and not only this, but to enforce his educational opinions on the great majority of the people of this Province.

"At one time he is reported by a Tory Governor as 'a dangerous man,' and a certain Toronto journal has pursued him with fierce malignity for years; all kinds of politicians have at different periods attacked him in the bitterest way, and yet Egerton Ryerson has triumphed and is at this day the great and successful vindicator of free, universal education. This is the man whom Governments do not care to interfere with, and who cannot be crushed; who, in spite of his seventy years is still as fresh and vigorous as ever and as ready in defence of his ideas to smite his enemies 'hip and thigh' either through a public journal or in a pamphlet of 365 pages.

"We have written column upon column against him for the past fifteen years. We have tried with all our might to pull him down and yet he is a man for whose talents, resolution and dogged perseverance we have the highest respect, and for whose courtesy and gentlemanly bearing towards our co-religionists we offer our acknowledgments."

But, say our moderns, he centralized education. Truly he did so; yet without centralization the elementary schools could not have been lifted out of the slough in which they had wallowed for thirty years. The Government grants were in his control. He required certain standards of efficiency in the schools before paying the grants; for the benefit of their pockets as well as of their children the ratepayers and trustees saw to the improvement of the schools, and engaged a better class of teachers. To this day the withholding of the grants is used as a coercive measure, if for cheapness' sake, or for any other sake, some trustees became neglectful of their responsibility, and after reproof, still harden their necks. Yet the charge that the Education Department is a colossal autocracy, a tyranny compelling conformity to a pattern, is a mere slander. Only those who

know nothing of the Department and its officers; only those who have no knowledge of the history of the Province, are bold enough to give it currency.

Egerton Ryerson, the founder of the Ontario School System, was considered by J. George Hodgins, his lifelong associate, as "the greatest Canadian of his time." Considering the work of his hands, the extent of his influence, the richness of his intellectual equipment, the power of his personality and the graces of his character, who will controvert successfully that measured judgment?

## CHAPTER IX.

### THE UNIVERSITY OF TORONTO

The University of Toronto is a Provincial institution. From its beginnings in King's College in 1843 it has been subject to supervision by Governments and to criticism by Oppositions. Public lands endowed it. Public funds must make up its deficits. It is reasonable that the government and organization of the University should be observed by the representatives of the people. So long as the observation is not taken through glasses of prejudice, so long as the politician or journalist speaks with understanding, criticism tends towards the betterment of the institution and its greater glory.

An attempt has been already made to sketch in outline the rise of King's College and its gradual transformation by Parliament into a non-sectarian University—some said a Godless University! In that day Commissioners of Inquiry sat from time to time to assemble all complaints and all suggestions. In our day Commissioners of Inquiry are not wholly unknown. If one were to deal at length with the varied, and sometimes contrasting reports of such investigators over a period of eighty years, "I suppose that even the world itself would not contain the books that would be written." Moreover they would resemble in some measure Ezekiel's description of the Valley of Bones—"for lo, they were very many, and lo, they were very dry."

Perhaps a clearer view of the progressive steps in the organization of the University may be given by a naked chronology:

1826.—Rev. Dr. Strachan visited England, secured a Royal Charter for King's College, and was granted the privilege of exchanging unproductive land-reserves for other lands in the settled parts of the Province.

1828.—As a result of complaints concerning the frank Anglicanism of the charter, a British Parliamentary Committee recommended partial secularization, but still left supreme control in the hands of the Visitor, the Anglican Bishop of York, and required the President to be in Holy Orders. Owing to continued complaints Sir George Murray, Colonial Secretary, practically suspended the charter, though the King's College Council did not so interpret his action, and continued acquiring lands and making provision for erection of a suitable building.

1831.—Lord Goderich requested from the Council the surrender of the charter and the endowment lands. The Council refused to surrender either, but laid down a basis of a partial compromise, which was still unsatisfactory to the people of Upper Canada, whose opinion was voiced in the Legislative Assembly.

1836.—The Assembly and the Legislative Council agreed that the President might not be a clergyman, that the Visitors should be the Judges of the

Court of Queen's Bench, that the Members of Council and Staff might not be members of the Church of England. Preparations began for the erection of the College. The Methodists opened the Upper Canada Academy at Cobourg which in 1841 received a Royal charter as Victoria University.

1839.—Sir Charles Bagot authorized the beginning of academic work and the construction of King's College on the site of the east wing of the present Parliament Buildings.

1842.—April 23rd. The corner-stone was laid. Work was begun with the following staff: Rev. John McCaul, Rev. James Beaven, Hon. W. H. Draper, Richard Potter, H. E. Croft, and W. C. Gwynne, taking respectively Classics, Belles Lettres, Divinity, Law, Mathematics, Chemistry and Anatomy. Classes began in the Parliament Buildings. Presbyterians opened Queen's College and Roman Catholics, Regiopolis College, Kingston.

1843.—June 8th. Formal opening of the College. Twenty-six students signed the roll. In August William Hume Blake took the place of Hon. W. H. Draper as Professor of Law. In September a Faculty of Medicine was established with Drs. Gwynne, King and Beaumont as Professors. Hon. Robt. Baldwin's University Bill, proposing to secularize the institution entirely and affiliate with it the three outlying denominational Colleges, failed by the downfall of the Ministry.

1845 and 1846.—Two futile attempts were made by Hon. Mr. Draper to give the University a constitution founded on Baldwin's plan, but with important modifications.

1847.—Hon. John A. Macdonald introduced proposed legislation to grant King's College £3,000 a year, and each of the other three £1,500, the partial proceeds of the land reserves which were to be placed in the hands of Trustees. All over the sum of these grants was to go to general education. Dr. Strachan refused this settlement. The Government went out of office without passing the Bill.

1849.—Baldwin's Government passed legislation secularizing the University, affiliating the colleges, abolishing the faculty of Divinity at King's, and excluding clergymen from the Chancellorship.

1851.—Hon. Mr. Hincks's Bill erected University College into a separate corporation and King's ceased to be a teaching organization. The University of Toronto became an abstract corporation represented by the Senate and conferring degrees on students of the affiliated colleges. The affiliation was merely nominal. No students came from Victoria, Queen's or Regiopolis. Annual grants were made by Government to these institutions of $5,000 each.

1851.—Dr Strachan and his friends founded Trinity University, a distinctly Anglican institution.

1852.—St. Michael's College was founded by the Basilian Fathers.

1867.—Denominational colleges were notified that Government grants to them would cease. The friends of the various Churches interested

came to the aid of the institutions and put them upon a sound financial foundation. Then arose a complaint that the denominational colleges were doing the bulk of the University work of the Province, and that University College got all the State support. Out of this arose the project for actual federation.

1884.—Conferences began between representatives of the Universities and Colleges.

1887.—The Federation Act was passed by the Legislature, but Victoria did not remove to Toronto until 1892.

1903.—Trinity accepted Federation.

Today a student may take his Arts course in either University College, Victoria College, St. Michael's College, or Trinity College; he may take a Medical Course in the Medical College, an Engineering Course in the School of Practical Science, a Dental Course in the Royal College of Dental Surgeons, Divinity in Knox, Trinity, St. Michael's, Wycliffe or Victoria; Agriculture in the Ontario Agricultural College; Music in the Conservatory of Music; but all degrees except those in Divinity are conferred by the University of Toronto.

Queen's University did not remove to Toronto and accept complete Federation because of its heavy investment in Kingston, which it did not feel justified in abandoning. Victoria sold its Cobourg property to the Government and received a free site in Queen's Park. McMaster University remained outside the Federation because it was a Baptist institution and as such was debarred by the principles of the Baptist Communion from the acceptance of State aid of any sort, directly or indirectly.

The undergrowth of organization too often obscures the vision of any who desire to examine in detail the story of higher education in Ontario. Yet it is necessary to mention briefly the work of the Commission appointed in 1906, to consider and report on the state of the University. The Commissioners were Mr. J. W. Flavelle (now Sir Joseph), Dr. Goldwin Smith, Chief Justice Sir William Meredith, Mr. B. E. Walker (subsequently Sir Edmund), Rev. Canon Cody, Rev. Dr. D. Bruce Macdonald and Dr. A. H. U. Colquhoun. The last named was also secretary. The report presented on April 4th, 1906, was the basis for the Legislative Act passed on May 14th, 1906. Its salient points are as follows:

The whole authority of the Crown was delegated to a Board of Governors appointed by the Lieutenant-Governor in Council. The office of President was assigned extensive powers and the holder was given, subject to the Board, supreme executive control of the University. The School of Practical Science, hitherto directly controlled by the Minister of Education, was incorporated in the University as the Faculty of Applied Science. Faculty Councils were created. The financial support of the Medical Faculty was assigned chiefly to the State. In accordance with the instructions issued to the Commission, the fundamental basis of the federation of 1887 was left intact, thus avoiding disturbance of the arrangement which combined the original University and colleges. There was, subject to

this, a general revision of the constitutional and executive functions. A proportion of the Provincial succession duties was assigned as income to the University in addition to the interest on its original endowment.

The first appointment under the new organization was that of Rev. Dr. Robert Falconer (now Sir Robert) as President, who has filled this great office with acceptance for twenty years.

The University lands and Queen's Park were bought by the King's College Council with almost the first moneys received from the sale of Clergy Reserves. Dr. Strachan and his associates of the Council purchased the north half of the original Park Lots 11, 12 and 13, owned by the Boulton, Powell and Elmsley families, for $16,000, and also enough land for approaches from the south and the west. The present University Avenue was long known as College Avenue, and that portion of College Street from Yonge Street to the west boundary of the General Hospital was known merely as The Avenue. Gates at Queen Street and at Yonge Street maintained the privacy of the property.

The first King's College building cost $56,000, but the original plan was for something more pretentious. For a time the College classes were held in the Parliament Buildings and the new building was used as a students' residence. It was apparent that greater accommodation would be needed, so the Government made use of the new building as a lunatic asylum and in February, 1856, set aside 103 acres of land west of University Avenue for the uses of the secularized University of Toronto. An appropriation of £75,000 was made for buildings and £2,000 for a library and museum—owing to the insistence of William Hume Blake, the Chancellor, and the personal interest of the Governor-General, Sir Edmund Walker Head. Thus the present main building arose and in October, 1858, was completed. "This building," said Hon. Edward Blake, in later years, "was the sheet anchor of the institution in the storms that threatened to subvert it."

The "storms" arose out of the determination of the Baldwin Government to get rid of the denominational atmosphere. The first result was the foundation of Trinity College for Anglicans, who desired an admixture of Church dogma with *belles lettres*. Presbyterians journeyed to Queen's, Methodists to Victoria at Cobourg, and for a time University College was an educational orphan with nobody to love it and few to be even mildly interested in its welfare. Dr. Beaven, who had held the Chair of Divinity in King's, and became Professor of Moral and Mental Philosophy in the reconstituted University, declared publicly that he abominated the institution. In 1851 the students numbered 124. In 1859 and 1860 only 80 were registered. But surely, though gradually, men of University College, professors and graduates, acquired a true College spirit and their influence was felt throughout the Province. When the High School system of Ontario was organized in the early '70's, and the graduates of University College began to appear as instructors in scores of secondary schools, the

matriculants for the College began to increase, particularly as the course of study was being revised to meet modern requirements.

Dr. McCaul retired from the Presidency in 1879, to be succeeded by Prof. (Sir) Daniel Wilson, an expert in History and Ethnology. The opinion that Classics was the backbone of a University Education did not change, but there was a growing belief that a body needed something besides a spine. In 1874 the first motion was made towards the provision of laboratory work in the Science course. A year later the Government of Ontario established the School of Practical Science as an independent institution, but in the University laboratories were equipped in Chemistry, Mineralogy, Geology, Biology and Physics. Sir Daniel Wilson was succeeded by Prof. James Loudon in 1880. Dr. Maurice Hutton was named in the same year as Professor of Greek Literature and in 1882 there was a notable dramatic production in Greek of "Antigone" by Sophocles. Twelve years later—in 1894—the play was revived and presented before a general audience in a city theatre. At the instance of the Legislature women were admitted to University College in 1884. Nine women were registered in 1884-1885; 70 in 1890-1891, 155 in 1897-1898.

There was a serious fire on February 14th, 1890, caused by the use of oil-lamps in a projecting lantern. The whole east wing was destroyed and the scientific museum collections, together with 33,000 volumes in the library, were lost. This disaster definitely ranged public opinion on the side of the University. The main building was restored at a cost of $228,000, although in the year before the expenditure of $130,000 on the Biological Building had awakened some criticism. Then followed in rapid succession the erection of the Library, the Gymnasium, the Chemical Building, and in 1903, the Medical Building. The noble Convocation Hall and the Physics building date from 1905, and by the generosity of Mr. and Mrs. E. C. Whitney, the men's residences, accommodating 150 students, were completed in 1908. Hart House, a students' club-house—perhaps the most remarkable and elaborate building of its kind in the academic world—was the recent gift of the Massey family in memory of Mr. Hart A. Massey. Among the professors of University College who have witnessed the rise of the institution from its day of humility and friendlessness are Dr. Maurice Hutton, and Prof. G. M. Wrong, Prof. Alexander and Prof. D. R. Keys, Prof. W. H. VanderSmissen, Prof. John Squair, Prof. Alfred Baker, Prof. A. T. DeLury, Dean of Residence, Dr. R. R. Wright, Dr. A. P. Coleman, and Dr. Chant—all scholars of uncommon distinction whose influence in this Dominion of Canada has been of the highest quality.

Past sixty years of age, his dream vanished—of a College teaching with the Humanities the fundamentals of the Christian faith—Dr. John Strachan bent all his energy to the establishment of an institution of Higher Learning which should meet his ideal of the true University. He went to England, secured a grant of money from the Society for the Pro-

pagation of Christian Knowledge, interested many devout benefactors of the Church of England, and returned full of faith and enthusiasm. In 1851 Trinity University was incorporated by Act of Parliament, a site of 20 acres on Queen Street was secured, and a suitable building was erected. It was opened on January 15th, 1852. "At 11 o'clock," said *The Globe*, "the service commenced in the temporary chapel upstairs, the Reverend, the Provost, reading the prayers, and the other Professors, Parry and Irving, reading the lessons. The Choirs of St. James's Church and the Holy Trinity Church were in attendance."

First came the admission of students, some 30 in number, who signed the declaration of obedience. Then the theological students signed the Thirty-Nine Articles. All left the room and returned immediately in proper academic gowns. Then the Bishop delivered the address of circumstance which contained the following sentences: "Nothing is more likely to benefit students than to afford them an opportunity of living together in a society of which the regular attendance upon religious ordinances, the observance of correct and gentlemanly habits, and obedience to a wholesome restraint form prominent features. Thence we infer that without residence within the College the full benefit of collegiate life and education cannot be obtained." Addresses followed, by Sir John Beverley Robinson, by the Archdeacon of York and by the Provost, the Rev. George Whitaker, M.A.

It was a great day for Bishop Strachan. He saw the work of his hand and brain at last come to fruition. The wish of his soul was expressed in the the Latin inscription graven on a brass plate which had been placed in the foundation stone: "God grant a prosperous issue to the labour now begun. May He who is at once the Founder and the Foundation Stone of His Church be ever present with those who within these walls shall devote themselves to Christian learning and the liberal sciences." In very deed Bishop Strachan was the one man who built Trinity. The inscription over the Queen Street gates is the simple truth: "Academia Collegii Sacrosanctæ Trinitatis. Johannes Strachan, Fundator. MDCCCLI." (University of the Holy Trinity, John Strachan, Founder, 1851.)

Provost Whitaker was Professor of Divinity, Rev. Edward St. John Parry, of Balliol College, Oxford, was Professor of Classical Literature; Rev. George Clerk Irving, B.A., of St. John's College, Cambridge, of the Mathematical Sciences. The Faculty of Law consisted of J. H. Hagarty, Q.C., Hon. J. H. Cameron, Q.C., and P. M. Vankoughnet, Q.C. The Upper Canada College of Medicine, founded by Dr. E. M. Hodder and Dr. James Bovell, affiliated with the University as a Medical Faculty. Besides Dr. Hodder and Dr. Bovell, the Professors were Dr. Henry Melville, Dr. H. Bethune, Dr. F. Badgley and Dr. W. Hallowell. Surely this was a noble beginning, although in 1856 the medical work was suspended, not being resumed until 1871. In 1877 Trinity Medical College was organized







TIMOTHY EATON MEMORIAL CHURCH, TORONTO

UNIVERSITY COLLEGE OF TORONTO (MAIN BUILDING)

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as a separate corporation and did remarkable work until Federation merged it in the general medical work of the University of Toronto.

Dr. Whitaker served as Provost for 28 years, being succeeded by Rev. C. W. E. Boddy, M.A. Under Provost Boddy the work of the institution was broadened. Three new chairs were established, and by the generosity of private benefactors the building was enlarged and a gymnasium was added. Then followed Federation, but Trinity lost no iota subscript of its Personality. It continued as a denominational College wedded to the Residence System. It continued to be distinctively Christian, after the Anglican teaching, and it contributed to the worthiness of the University of Toronto Senate as a deliberative, academic body.

Provost Boddy was called to the General Theological Seminary in New York in 1894 and in the year following was succeeded by Rev. Dr. E. A. Welch. He held office only for five years, becoming Rector of St. James's Cathedral. Then came Rev. T. Street Macklem, who served for 21 years and was succeeded by Rev. Dr. Charles Allen Seager. Always the Provost of Trinity has been a man of commanding eminence, alike as clergyman and educationist, and always some member or members of the staff have had a high reputation in scholastic circles. Professor Jones and Professor William Clark are two examples.

The fine old property on Queen Street has been acquired by the City of Toronto, and on December 11th, 1922, the first sod of a new building in Queen's Park was turned by the Lord Bishop of the Diocese. But in buildings new or old the Trinity tradition will persist.

The 75th anniversary of the founding of Trinity College was celebrated in January, 1927. Rev. A. H. Cosgrave is Provost.

To rise from humble origins to a place of power and distinction is a meritorious achievement in this country. Victoria College was born in travail and suffering and poverty. To-day it is in its lusty manhood, an institution highly regarded by the community as a whole, and deeply beloved by "the people called Methodists." The story of its foundation, in protest against an apparent attempt to colour all Higher Education with a Church of England tint, has been already told. A few details with respect to its rise and progress here follow.

The Upper Canadian Academy, by which the institution was first known, was not established to serve as a culture-bed for the benevolent germs of Methodism, but rather to permit ambitious young men to acquire an education apart from Dogma and Churchianity. There was no religious test for either students or professors, although the Principal was always a Methodist minister, and the atmosphere was distinctly Christian. The site at Cobourg was the gift of a Methodist layman. Individual subscribers of money and building materials made the erection of the first buildings possible. More than one earnest Denominationalist, clerical or lay, procured the money for his subscription by a definite course of self-denial.

The Academy was opened on June 18th. 1836. Five years later a Royal Charter had been granted to it; the first one issued in the British Dominions to an educational institution not under the Church of England. At the instance of the Home Government the College ultimately obtained £4,100 of Clergy Reserve funds.

Owing to the scarcity of secondary schools it was necessary to provide a preparatory school in connection with the College and it remained in being until Confederation. The first Principal of the Academy was Rev. Matthew Ritchie, who served from 1836 to 1839, when he returned to England. Rev. Jesse Hurlburt succeeded for two years, and he was followed by Rev. Dr. Ryerson, who held office until his appointment as Superintendent of Education in 1844. For the next six years Rev. Alexander McNab was in charge, but he had defects of temperament which occasioned dissensions. He was succeeded by Rev. Dr. Samuel S. Nelles, the "Great Chancellor", who brought the College to a high point of efficiency. On his death in 1887 Rev. Dr. Nathanael Burwash was appointed. It was his genius and his patience which led the College into Federation, preserved its Personality in the transfer from Cobourg to Toronto, and set it on the way of expansion and progress. Rev. Dr. Richard Pinch Bowles is the present Chancellor.

The first classes were in Arts only. Divinity was not taught until 1871. The College was for many years in affiliation with Dr. Rolph's School of Medicine and with the Ecole de Médicine et de Chirurgie, of Montreal, and in 1863 and 1867 respectively Faculties of Law for Ontario and Quebec were in being. These connections ceased, of course, at Federation in 1887.

Mr. Hugh Fraser Mackintosh contributes the following sketch of St. Michael's College: St. Michael's College has from its foundation been under the jurisdiction of the Basilian Congregation, first represented in Toronto by Father Moloney, who came with Bishop de Charbonnel on September 21st, 1850.

One of the Bishop's first official acts was to invite the Basilians from Annonay, Department of Vivarais, France, where he had himself received his classical training, to open a house of their Community in Toronto, and to found a college. This invitation being accepted, a contingent of two Fathers, Soulerin and Malbos, and two ecclesiastics in minor order, Messrs. Vincent and Flannery, arrived in 1852, and being joined by their confrère, Father Moloney, proceeded to put the Bishop's cherished project into immediate effect.

The college first opened its doors in a house on Queen Street, opposite the present Metropolitan Church, but soon removed to the north wing of St. Michael's Palace, which had been especially erected for the purpose. Here boys, some of whom subsequently rose to high office in the Church, and others to responsible positions in civil life, learned the elements of their classics and imbibed the rudiments of a thorough general education. Father

Soulerin was President of the college, and Superior of the Community, and was ably assisted by the others named.

The quarters in the Palace were too contracted to serve the purpose of a college for any length of time, and more commodious premises soon became a necessity. At this juncture, Hon. John Elmsley came forward with an offer of a block of land on his estate on Clover Hill, and a liberal provision of money wherewith to begin building. This generous offer being gratefully accepted plans were speedily drawn up, and in September, 1855, the corner stone of the new building was laid with fitting ceremonies. In September, 1856, classes were first opened in this new structure, since when several additions have been made, keeping pace with the growth of the institution.

On being elected Superior General of the Congregation of St. Basil in 1865, Father Soulerin gave place as President to Father Charles Vincent, and returned to France, where he continued to govern the Community until his death in 1879.

Father Vincent presided over the College for twenty-one years, resigning owing to increasing age and declining strength in 1886. He continued to act as Provincial until 1890, when he retired altogether from active work. His successor as President of St. Michael's was Rev. Daniel Cushing, formerly Prefect of Studies in Assumption College, Sandwich, who remained in charge three years. In 1889 the presidency passed to Rev. John Reid Teefy, a name long and favourably known in University circles. Under his care the college advanced steadily, students increased, the building was enlarged, and the fullest advantage taken of the University connection. Father Teefy was a man of large mind, of ripe culture, and benevolent disposition. The affection and respect in which he was held by all classes was testified by the sorrow shown at his death.

In 1881 the College had been affiliated to the University of Toronto upon a basis similar to that of several Catholic colleges in England and Ireland with London University. All the teaching, or as much of it as the college authorities find convenient, may be done in the college, while all the examinations upon mental and moral science are upon the matters taught in the college. This arrangement has worked harmoniously, and to the advantage of both college and University. The college has representatives upon the Senate, or governing body of the University, and its students, while conforming fully to the Catholic ideal of education, enjoy all the advantages of University life.

After various temporary residences, Knox College, established in 1844, occupied Elmsley House, between 1858 and 1875. In later years Central Presbyterian Church, Grosvenor Street, was built on the site. Recently the Church was demolished in the northward extension of Bay Street.

The building in the circle of Spadina Avenue was occupied by Knox in 1875 and remained the home of the institution until the period of the Great War. After serving as a military hospital it became the headquarters of

the Provincial Health Department and the College is housed in a fine stone building facing St. George Street and running through to the University grounds.

In the early days of Knox an Arts course was provided, but it is now a Divinity School solely. Since 1880 it has had the power to confer degrees in Divinity. Its high reputation for thoroughness was won under the régime of Dr. William Caven, appointed Principal in 1873, who was in office for more than 30 years. Rev. Dr. Alfred Gandier succeeded.

In 1873 the Church Association was formed in Toronto to make head against the Party in the Church of England which tended towards over-elaboration in ritual. Among the lay leaders of the Association were Mr. Justice Draper, Sir C. S. Gzowski, Sir Daniel Wilson, and Hon. S. H. Blake, with Dean Bond and Canon Baldwin, afterwards Bishop of Huron, as the clerical leaders. In 1877 these founded in the schoolroom of St. James's Cathedral The Protestant Episcopal Divinity School, which was incorporated in 1879, and afterwards was known as Wycliffe College. It was housed for a time in a small building on the University grounds near College Street. The fine building on Hoskin Avenue to the north of Hart House was completed in 1891 and provides a residence for the Principal, a professor and fifty students. A Convocation hall and library were built in 1902. The College has been worthily supported by its friends and its graduates have taken a high place in the religious life of the country. Rev. James Paterson Sheraton was for many years the Principal; the course is one of three years. Rev. Dr. O'Meara is the present Principal.

In April, 1887, a Bill was passed by the Ontario Legislative Assembly uniting Toronto Baptist College and Woodstock College under the corporate name of McMaster University. In September of the same year, through the decease of the Hon. William McMaster, the Corporation of McMaster University came into possession of about $900,000 endowment for the purpose of Christian Education, as set forth in the will of Mr. McMaster, and in the charter. This was in addition to the amount which had been raised previously by the denomination towards the endowment of Woodstock College, and for the land and buildings in connection with the same, as well as in addition to the property in connection with the Toronto Baptist College, previously provided for by Mr. McMaster. In accordance with the Charter, the Board of Governors and the Senate entered upon their duties in November, 1887.

At the Educational Conference held in Guelph, in March of the next year, it was decided by the representatives of the regular Baptist Churches of Ontario and Quebec that McMaster University should be organized and developed as a permanently independent institution in Toronto, and that Woodstock College should be maintained with increased efficiency in Woodstock.

At a meeting of the Senate and Board of Governors, held May 28th of the same year, it was decided that Woodstock College should be organized and maintained permanently in Woodstock as a Christian school of learning, to provide for boys and young men a thorough and practical general education. At the same meeting it was also decided that a Ladies' College should be established in Toronto, and opened for the reception of students in September, 1888. This latter was rendered practicable by the generosity of Mrs. William McMaster, who placed at the disposal of the Senate and Board of Governors, for this purpose, on conditions which these bodies readily accepted, the McMaster residence on Bloor Street East, and funds for the adaptation of the building to its new use. Mrs. McMaster's whole gift was of the cash value of $26,000. Thus we have McMaster University at No. 273 Bloor Street West, Moulton Ladies' College at No. 34 Bloor Street East, and Woodstock College, at Woodstock. Moulton Ladies' College perpetuates the family name of the founder.

In accordance with a resolution of the Senate, March 19th, 1889, the Arts work of the University was inaugurated at the beginning of the academic year of 1890-91. McMaster Hall, in which are lecture rooms, administration offices, and apartments for eighty-eight resident students, is an educational building of modern type, commodious, substantial in appearance, and complete in its appointments.

Castle Memorial Hall, which was dedicated in December, 1901, contains an assembly hall and library. The assembly hall has seating capacity for seven hundred and fifty people. The library contains a stack-room with a capacity of fifty thousand volumes, and also a reference reading room. The library is continually increasing in extent and usefulness; it now contains about twenty-five thousand volumes. At its founding Mrs. William McMaster was the chief contributor. The Hon. William McMaster and Mr. Thomas Lailey also made important gifts.

The Science Hall, completed in 1907, is a fire-proof building containing four floors, providing ample accommodation for the practical teaching of Physics, Chemistry, Biology, Geology, and Mineralogy. It contains twenty-four lecture rooms and laboratories, all well equipped, and in addition, six private rooms for professors. In the Science Hall a large room has been reserved and will be fitted up shortly as a University Museum.

Wallingford Hall, the new Women's residence, was presented to the University in 1919 by the Alumnae Association, this action being made possible through the generosity of the late Mr. William Davies. It is located at 95 St. George Street, and is named Wallingford in honour of the birthplace of the donor. It was opened for use in the autumn of 1920.

The University has two faculties, that of Arts and that of Theology. The degrees obtainable are: Bachelor of Arts, Master of Arts, Doctor of Laws, Bachelor of Theology and Bachelor of Divinity. At present there are about 250 students enrolled for the various courses.

When King's College received its Royal Charter in 1827 with an endowment of 225,000 acres of land and a grant of £1,000 per annum for sixteen years, its sectarian character was perfectly plain. The Bishop of the Diocese of Toronto was to be the visitor; the President was to be a clergyman of the Church of England; the College Council was to consist of the chancellor, president and seven other members who were to be members of the Church of England and signatories of the Thirty-nine Articles. None but an Anglican could be admitted to the degree of Doctor of Divinity. Dr. John Strachan was a forthright man, and did with his might what his hand found to do. He had set himself from conscientious motives to make the Church of England dominant in all matters of education as in religion, considering this as the best way of holding the Colony faithful to British connection, and of building a sea wall against the waves of republicanism and infidelity which to his mind rolled up from the southward continually.

The Legislative Assembly reflecting accurately the opinion of the country was hostile to his thoroughgoing Anglicanism in Education, and a Select Committee meeting in 1828 declared: "A Provincial University should not be a school of political or sectarian views. It should have about it no appearance of partiality or exclusion. Its portals should be thrown open to all....It should be a source of intellectual and moral light and animation from which the glorious irradiations of literature and science may descend upon all with equal lustre and power. Such an institution would be a blessing to the country, its pride and glory. Most deeply, therefore, it is to be lamented that the principles of the Charter are calculated to defeat its usefulness, and to confine to a favoured few all its advantages."

There was a solid confidence on the part of all Presbyterian and other non-Anglican people that the phrase "a Protestant Clergy" could not by any stretch of imagination be held justly to mean an Anglican clergy. The Clergy Reserves, they said, were a Royal boon for all. There was no end of protest and of disputation. Finally, in 1836, the Methodists founded their own Academy at Cobourg, which in 1841 received a Royal Charter as Victoria College; in 1842 Queen's College of Kingston, founded by Presbyterians of the Auld Kirk, was similarly honoured by Her Majesty. From 40,000 settlers, many of them recent immigrants, with ardour, principle, diligence—with almost everything but money—was raised an endowment fund of $40,000 and Rev. Dr. Liddell was brought from Scotland to preside over the new institution. Two years after this promising beginning the Disruption rent Presbyterianism into argumentative fragments. Queen's College remained an institution of the Church of Scotland—the Auld Kirk,—and all students of Free Church opinions withdrew. The session of 1844 began with only thirteen men in the classes. Dr. Liddell resigned. Professor Campbell withdrew to Scotland, leaving only Dr. Williamson of the academic staff to "carry on". The Board of Trustees

revealed a sturdy Calvinist spirit. They refused to accept defeat, and by 1850 the students numbered forty-one. At the glimpse of new success, more trouble came in a series of sharp differences among the staff. Says W. L. Grant,* "About 1865 Queen's pulled herself together under Principal Snodgrass, a burly Lowlander....who hid under a heavy exterior a force and determination which were to tide the University over her third great crisis. A new staff was built up. Professor MacKerras succeeded Weir, Professor Dupuis in 1864 commenced his long term of service, Professor Watson joined in 1872 and Professor Robert Bell took the natural science work. In 1865 the course was lengthened to four years. A misfortune at this period was the discontinuance of the faculty of medicine owing to internal difficulties. In its stead appeared the Royal College, affiliation replacing the older and closer relationship. The reviving energies of Queen's were all but paralyzed by the disaster which came in 1868, the halving of the income. The failure of the Commercial Bank reduced the University's investments by two-thirds. It was followed by the withdrawal of the Government Grant. The income fell from $13,600 to $7,700.

"The pre-Confederation Government of Canada had compromised with the outlying colleges in the matter of the university endowment by voting them certain yearly sums. The total vote was $21,400, of which Queen's and Victoria received $5,000 each, Trinity $4,000, and four Roman Catholic institutions, Regiopolis, St. Michael's, Bytown and L'Assomption, $7,400. Sandfield Macdonald governed Ontario in a spirit of determined economy. The discontinuance of these grants seems to have been a popular measure of retrenchment....It came to be regarded as an axiom in Ontario politics that public support could not be given to denominational institutions."

Queen's seemed to be in the article of death; in 1870-71 its Arts students numbered only twenty-five. Principal Snodgrass did not despair; with the support of Professor MacKerras he appealed to the Churchfolk for an endowment fund of $100,000, and made a personal canvass of eighty-six congregations. The money was raised but still the task of balancing the College budget was difficult. When the various Presbyterian bodies united in 1875, there was a strong opinion among the former Free Kirk element that the Church should not maintain Arts Colleges. From that time, Queen's, though still Presbyterian, ceased to be a denominational College. The Church contributed to the support of the Theological Faculty only.

Dr. Snodgrass resigned the Principalship in 1877 and returned to Scotland. He was succeeded by Rev. George Munro Grant, a powerful, well-balanced, fervent and good man whose influence at Queen's and in the wider field of Canadian public affairs is potent to this hour. The first task was to increase the endowment so that a new building should be erected and equipped, and two new Chairs established. The money

*In "George Munro Grant".

was secured—with no end of toil—and on May 30th, 1879, the corner stone of the building was laid by the Marquess of Lorne and the Princess Louise. In the autumn of 1880 it was opened. By Grant's diplomacy the old building was handed over to the Royal College of Physicians and Surgeons. It was the road to re-union. Additional buildings were erected in 1901 and 1902, and the natural expansion of an institution in competition with the Provincial University of Toronto made the financial problem recurrent and sometimes desperate. There were infinite opportunities of spending money wisely, and but few occasions when the money necessary could be found. Then, after a long era of controversy and bickering which continued after the solemn departure of Grant, through the Principalship of Rev. D. M. Gordon and into the régime of Rev. Dr. Bruce Taylor—the man of to-day—the Provincial Government named in October, 1920, a Royal Commission to inquire into University finances. Dr. H. J. Cody was the chairman, the other members being Sir John Willison, J. Alex. Wallace, T. A. Russell, A. P. Deroche and C. R. Somerville. The Report of this Commission, ideally brief and definite, has not yet been fully accepted as the basis of government policy. The Drury Ministry was defeated and its successor has been deliberate in defining a general University programme, although not dilatory in recognizing the requirements of the times. Concerning Queen's the Commission wrote: "Queen's has made a noteworthy contribution to the life of the Province. It has provided higher education for many men of moderate means and keen intellectual ambition. It has created a student tradition of hard work, thrift and maturity. It has had an extraordinarily large share in educating the teachers of the Province. It has been marked by enthusiasm and initiative. It has always counted among its professors some of the most famous and inspiring of University teachers. Its services in the past and its good work in the present are worthy of financial aid from the Province."

Since 1907 the Province has made annual grants to Queen's University beginning with grants for the School of Mining and the Faculty of Education.

| | | | |
|---|---|---|---|
| 1907-08 | $ 51,000 | 1917-18 | 137,000 |
| 1908-09 | 66,500 | 1918-19 | 137,000 |
| 1909-10 | 72,500 | 1919-20 | 177,000 |
| 1910-11 | 74,000 | 1920-21 | 415,000 |
| 1911-12 | 74,000 | 1921-22 | 375,625 |
| 1912-13 | 76,000 | 1922-23 | 365,000 |
| 1913-14 | 74,000 | 1923-24 | 290,000 |
| 1914-15 | 69,000 | 1924-25 | 390,000 |
| 1915-16 | 127,000 | 1925-26 | 380,000 |
| 1916-17 | 122,000 | | |

The subsidies of the later years were in part for capital expenditure on new buildings. The maintenance grant was about $210,000 annually.

Huron College, a Divinity foundation of the Church of England, was



CONVOCATION HALL, UNIVERSITY OF TORONTO



HART HOUSE, UNIVERSITY OF TORONTO

established by Bishop Cronyn in London in the year 1867. Eleven years later Bishop Hellmuth, whose interest in education was keen, secured from the Provincial authorities a charter permitting the organization of the Western University. The first meeting of the Senate was held on May 1st, 1878, when a campaign for the raising of funds was organized, in accordance with the Act, which said that University powers or privileges granted by the Statute for the conferring of degrees should not be exercised until the Lieutenant-Governor in Council was assured that $100,000 at least, had been amassed in securities, property, or money, "including Huron College when affiliated thereto."

The list of persons who were granted corporate and collegiate powers as the Western University was as follows: Rt. Rev. Isaac Hellmuth, D. D., Bishop of Huron; Very Rev. Michael Boomer, Principal of Huron College; Hon. S. H. Blake; Very Rev. H. J. Grasett, D. D., Dean of Toronto; Ven. Archdeacon E. E. Elwood, M.A.; Ven. Archdeacon Arthur Sweatman, M. A.; Rev. Professor Halpin, M.A.; Frederick Davis, A. Cleghorn, Rev. Canon Innes, M.A., Rev. Wm. Logan, Rev. J. W. P. Smith, Rev. D. Dacon, M.A., Rev. Wm. Davis, Rev. Canon Hincks, Wm. P. R. Street, D. McCraney, M.P.P., Lt.-Col. J. B. Taylor, Rev. Canon Nelles, Rev. A. S. Falls, B.A., Rev. A. C. Hill, M.A., Rev. F. Harding, Rev. W. Daunt, M.A., Rev. R. H. Starr, M.A., John J. Kingsmill, Edmund Baynes Reed, Lt.-Col. James Shanly, I. F. Hellmuth, John Beattie, and Rev. J. Barr.

On Oct. 6, 1881, the University opened its classes and the Arts work continued for three years until the removal of Bishop Hellmuth to England. The loss of the guiding spirit of the institution was too great to repair, and from 1884 to 1895 there was no Arts teaching. A medical faculty was organized in May, 1881, and the school opened in October, 1882, with thirteen students. Twelve of the leading physicians of the city gave their services as lecturers, and when a proper building was needed, subscribed largely to the fund. The first Medical Building was erected on the corner of York and Waterloo Streets and was continuously used with excellent results, until 1920. In that year the Faculty moved to a new building costing about $450,000, and paid for by private subscriptions and by a grant from the city of London. About 150 students are attending this Medical College which employs four full time Professors, and eleven on part-time. The staff numbers 44.

From 1895 when the Arts course was revived there was a period of stress. The denominational nature of the University excluded it from civic or provincial support. On the other hand, though the members of the Senate were Anglicans, it had no organic connection with the Synod of the Diocese and could not receive the official sanction and support of the Anglican Church. The President, writing in 1920, said of this period: "One financial agent after another was sent out to canvass for funds but in spite of the strictest economy each year showed a deficit in the finances.

Gradually the conviction grew stronger, especially among the lay members of the Senate that all connection with the Church must be given up. At length the most determined opponents of the movement had to yield to the logic of facts, and it was decided to seek such legislation as would enable the Council of the City of London to make the University an annual grant. Conditionally upon the making and continuing of this grant, the Senate adopted a new constitution legalized by Act of the Provincial Legislature, April, 1908. By this Act the control of the University is vested in a Board of Governors consisting of four members nominated by the government, four by the City Council, and four chosen by these eight. This placing of the University on an undenominational basis opened a new and more prosperous era in its history. Not only has the City of London more than fulfilled its original agreement, but the Province has aided the institution directly and indirectly. The Hygienic Institute, with its excellent building and equipment (provided by the Provincial Department of Public Health) was placed under the control of the Board of Governors and is now a faculty of the University. In 1910 the Government first recognized the claims of the Western to a measure of Provincial support by making it an annual grant of $10,000. With these added resources the University has been able to make great improvements in its general equipment."

"Three Colleges are formally affiliated with the Western University in accordance with an article in the University's Act of Incorporation: Huron College, the Anglican Divinity institution, L'Assomption College at Sandwich, and the Ursuline College at Chatham for women. These two are Roman Catholic institutions with a long and creditable record. The first considerable benefaction received from private sources was the gift in 1918 by J. Davis Barnett, of Stratford, of his admirable library. The University has also received the Whitman Collection from the estate of Dr. Bucke, for many years Superintendent of the London Asylum. Dr. Bucke was Walt Whitman's literary executor, and a man of very distinctive scholarship.

Western University has received from the Province the following grants:

| | | | |
|---|---|---|---|
| 1910-11 | $ 10,000 | 1919-20 | $ 84,000 |
| 1911-12 | 15,000 | 1920-21 | 41,000 |
| 1912-13 | 15,000 | 1921-22 | 559,000 |
| 1913-14 | 15,000 | 1922-23 | 800,000 |
| 1914-15 | 20,000 | 1923-24 | 200,000 |
| 1916-17 | 60,000 | 1924-25 | 300,000 |
| 1917-18 | 60,000 | 1925-26 | 250,000 |
| 1918-19 | 65,000 | | |

Much of the money granted in the two academic years 1921-23 was for the new buildings which are situated on the outskirts of the city across the north branch of the Thames.

That militant Christian, Bishop Macdonell, of Glengarry and Kingston, established a Catholic Seminary at St. Raphael in 1825. It bore the name

of the College of Iona and although organized on an exceedingly modest scale, produced several eminent ecclesiastics. But the Bishop realized that the needs of Upper Canada would be better served from Kingston than from the pleasant old Glengarry village. Accordingly in 1835 he and others petitioned Parliament for an Act of Incorporation for a College in that city, which ultimately was established as Regiopolis. It was opened in 1846 by the Very Rev. Angus Macdonell, Vicar-General. Under Bishop Horan it was soundly established and it has long enjoyed an excellent reputation.

The College of Bytown was the foundation of Bishop Guigues and was incorporated in 1849. In 1861 the name was changed to the College of Ottawa and in 1886 the College was given University status, conferring degrees in Arts and Law. It now has a Science Hall with Chemical, Physical and Mineralogical laboratories, and the main building is an imposing and convenient structure. The Oblate Fathers have superintendence of the institution.

In the Royal Ontario Museum of Archæology there is a small case containing the Museum fetish, a little, ancient Ushabti figure, which, through a long chain of accidental circumstances, was the beginning of the large collections now in the possession of the Province.

Beginning in the Spring of 1902 with the idea of establishing a museum in Victoria College, collections were made, mainly in Egypt, shipped over to Toronto, and stored. Much help was received from the Egyptian Exploration Fund and from private individuals who were interested in the possibility of starting a museum in Toronto. After nearly four years, it was decided that the proposed institution should become a museum of the whole University rather than of Victoria College; and a very small sum was voted for the purchase of antiquities. Later, a small grant was obtained from the Provincial Government, and was duplicated by the University, with the understanding that the institution should be a provincial museum governed by a council appointed by the Provincial Government and the University.

In the meantime, great help had been received from private individuals in Toronto and in England. This aid was almost entirely in money; and collections began to pour in and were stored anywhere around the University where storage rooms could be found. A singular streak of good fortune followed the whole of the hunting, mad good luck playing the major part.

In this stage of the Museum, which led up to the opening, those who had the handling of affairs were particularly gratified that money had come in as a private trust without anything to show for it except the knowledge on the part of the donors that stored somewhere or other in the University were boxes containing objects for which their money had paid. Year after year they made their subscriptions without seeing any result whatsoever, or knowing whether their money had been spent wisely

or not. Nothing could very well be more gratifying as a matter of private trust to those in whom the trust was placed.

The first wing of the building was started in 1910, when an agreement was reached to join the other museums of the University, Biology, Geology, Mineralogy, and Palæontology, into a loose federation with the Museum of Archaeology, and to house them all for a time in the one building. By 1914 it was possible to open the building to the public, and there was a great deal of surprise at the size to which the collections had grown by this time.

At the time of opening, the Græco-Roman collection was of considerable importance, having an extremely good series of the objects of daily life belonging to the average citizen of the first to the fourth century, with a particular emphasis, perhaps, on ironwork, textiles and toys. This collection had been specially pushed because it was expected that it would reach all those in the study of Latin and in the study of the New Testament and religious knowledge. It was financed by Mr. Chester Massey, in memory of his brother, Walter.

The section next in importance was the Egyptian, which consisted of a remarkably good collection of necklaces and a very considerable number of general objects to illustrate the life of the Egyptian people.

The collection third in size was that of prehistoric life from the Palæolithic Age down to the introduction of iron. This collection was financed by Mr. Z. A. Lash, and great good fortune followed it from the very beginning, so that some of the most striking exhibits that are known are included in it.

A remarkable series of cases showing the history of lace, the well-known Chick Collection, had been procured *en bloc,* through the generosity of Mrs. H. D. Warren. Probably next in importance came the classical collection, which consists of the fine Venus, some other marbles and a representative collection of vases and other objects.

The Chinese exhibit contained the Jane McMahon Collection of exquisite glass. The collection of Chinese ceramics, which was in the most constant state of growth, was financed by Sir Edmund Walker, who was also helping in many other departments. This was the beginning of the present monster collection of Chinese art. The Japanese collection was small but choice, and mainly the gift of Sir William Van Horne.

The embroideries were mainly Oriental and of considerable importance, and were the gift of Mrs. Massey Treble. An object of signal importance was the wonderful Gondar tapestry presented by Colonel George A. Sweny.

Of furniture at first there was but little, the one striking exhibit being the beautiful oak Elizabethan room presented by Mrs. Walter Clemes. There was also a splendid collection of chests, acquired through the interest and generosity of Mr. M. Langmuir. The collection of armour and arms was one of the most interesting collections, and had been financed by



VICTORIA COLLEGE, TORONTO



OLD TRINITY COLLEGE, TORONTO

Sir Henry Pellatt. Mr. D. R. Wilkie had provided a small collection of classical helmets. The exhibit showing the history of glazed earthenware was the most serious collection in size and cost, and had been financed by Sir Edmund Osler.

Meantime, a number of collections already made were received, such as the wonderful R. S. Williams Collection of musical instruments; the S. H. Janes classical vases; the Eskimo material brought down by Mr. R. J. Flaherty in Sir William Mackenzie's expedition, and the enormous Indian collection of Mr. George Allison. Through Mr. Sam Harris, the Museum received the huge Walter Currie collection of material from Angola, West Africa, and further Angola material was presented in the Rolph Lesslie collection and the Martha Wightman collection. The costume exhibits were enriched by important gifts from the Canadian Women Designers' Club, of Toronto.

The finding in a hotel of a postcard of the Lohan brought Dr. George Crofts, of Tientsin, China, into touch with the Museum; and through his great knowledge and indefatigable energy, the great George Crofts collection of Chinese Art has developed, this being now the most important collection of the Museum. Generous support in the purchase of this collection has been given by Mrs. H. D. Warren, Mr. D. A. Dunlap, Sir Edmund Walker, Mr. James B. O'Brian, Mrs. W. J. Hanna and the Canadian General Electric Company.

To aid in this and other work, the Provincial Government began to make a grant for purchases, as the first grant had lapsed after three years and for several years no public moneys had been obtained at all. The interest and help of the Ministers of Education and the Prime Ministers have enabled the Museum to advance much more rapidly than it was possible to do before, and also to fill in gaps where it was not possible to interest a private patron in the development of the institution. The staff consists of:

C. T. Currelly, O. Medj., M.A., F.R.S.C., Director; Cornelia G. Harcum, Ph.D., Keeper of the Classical Collection; Ethlyn M. Greenaway, B.A., Secretary; and Langley Rawles, Draftsman.

How far the Mechanics' Institute may be considered an Educational establishment is a question open to discussion. There is no doubt that it was intended "to raise the lower classes" at a time when those classes were cheerfully neglected in all real educational schemes. The aim was to provide lectures, study-classes and a library in the belief that the artisans and mechanics would hasten to accept the real advantages offered. The very folk for whom the Institute was devised felt that they were being patronized and with a manly independence stayed away, especially when reasonable claims on the part of Labour for better wages and wider opportunities were steadily resisted. Too many of the educational, religious and industrial leaders in England and in the colonies were more willing to be charitable than to be just, and that sort of charitable feeling wakens resent-

ment rather than gratitude. In the 'forties every considerable town in Upper Canada had a Mechanics' Institute. Every one was a failure save in one particular—the public libraries thus established were freely used, though rather more by academic and professional persons than by the "mill-run" of Labour.

In 1857 an attempt was made to galvanize the dead by the establishment of a Board of Arts and Manufactures on Legislative authority, "to stimulate the ingenuity of the mechanic and artisan by means of prizes and distinctions." The Board consisted of the Minister of Agriculture, the Chief Superintendent of Education, the professors and lecturers on physical science in the various chartered colleges, the presidents of Boards of Trade, Mechanics' Institutes and Arts Associations. The Board was active for a few years in promoting exhibitions of various sorts but it ultimately died a natural death.

Universal Education in Common Schools, followed by the establishment of County High Schools (in 1871) reached the labouring classes without proclaiming their inferiority and thus made the Mechanics' Institute an antique. The one useful development of the Institute was the rise of the Public Library, supported by municipal taxation.

The Provincial Museum of Ontario, established in the Normal School building, is the oldest distinctively Educational Museum in the world, having been founded in 1851. An Act of the Legislature of that year which provided for the erection of the building specifically stated that it was to be used as a Normal School, as an Educational Museum, a library, and for such Educational offices as were required in connection with these departments. The Museum itself was restricted in its scope to historical, biological and archæological subjects. Since that date Educational museums have been organized in almost every country in the world and in all the States of America.

From 1853 to 1889 the museum contained miscellaneous collections of archæological and biological material with some paintings and sculpture, but no scientific method of classifying and arranging these collections had been attempted. In 1889, Dr. Boyle of Toronto, an archæologist of high standing, was appointed Director. Immediately following his taking charge the historical and archæological sections were enlarged and improved, the specimens therein being properly classified, labelled and arranged so as to be available for study by the public.

In 1911 Dr. R. B. Orr succeeded Dr. Boyle as archæologist and director, having associated with him Mr. C. W. Nash as biologist. Under their direction and management the Provincial Museum has greatly extended its usefulness.

The archæological section is of long standing, dating back to the first days of the Museum. To the untiring efforts of the late Dr. David Boyle and Dr. R. B. Orr the people are indebted for one of the largest collections



OFFICES OF THE PROVINCIAL BOARD OF HEALTH
Formerly Knox College



ROYAL ONTARIO MUSEUM

of Indian relics in the world. Their object has been to place in the Museum a complete collection of Indian antiques so that the people of the province would have some knowledge of the manners and customs of its original inhabitants. The dress of the Indians is illustrated by models and the various implements used by them in war, hunting, ceremonials, etc., are shown in infinite variety. The collection of Indian artifacts alone, in this section, exceeds fifty thousand specimens, many of which are unique.

The mineral resources of the Province are well represented by a collection of over four thousand specimens of ores. The department of Ethnology is designed to illustrate by means of casts, sculptures, human relics, etc., the race types of mankind native to America. The collection in this branch is very large and the specimens well arranged enabling students of the science to pursue the study to great advantage.

The biological collections are large and include corals, annelida, crustacea, myriapoda, insecta, arachnoidea, and mollusca. Insects being of great economic importance in this agricultural country much attention has been given to them and there is now a splendid collection in the museum; all Canadian orders and families being well represented. The public constantly avail themselves of the service of this section in order to have identified insects they have found and to get information about their life history. School teachers too are supplied with specimens and small collections illustrative of the various orders for use in instructing their classes.

There are about one hundred and thirty species of fish found in the inland waters of Ontario; specimens of nearly all these are in the museum. In many cases there are several specimens of a species arranged to show their appearance at different stages of development. The originals are preserved in fluid, but as in these the colours soon fade and the specimen becomes unrecognizable except by an expert, casts are made from the originals and coloured true to nature. Of these casts there is a good series. The batrachian collection is particularly good, only one or two of the Ontario forms being absent. Most species are shown in all stages from egg through the tadpole in various stages of development to adult. As in the fishes casts coloured from nature are made and form an attractive exhibit.

Only twenty-seven species of reptiles are known to occur in Ontario. These are all represented in the Museum by about one hundred and fifty specimens showing all stages of development and variations in markings, etc. Of these casts have been made and coloured. Of the nine species of turtles found in Ontario there is a complete series of casts showing adults, eggs and young.

The collection of birds is large, very attractive and well arranged for the use of students. The three hundred and twenty-five known species of Ontario are represented by about fifteen hundred specimens, some very

rare, the Passenger Pigeon and Wild Turkey being among them. In many species the variations in plumage owing to age, sex or locality are very wide. A series of specimens showing these variations is in most cases available to students, as is also information as to economic value, habits, etc.



CHANCELLOR WILLIAM HUME BLAKE

# CHAPTER X.

## MANUFACTURING AND TRADE

Political economists sometimes assume the existence of an isolated community; and then describe the rise of such successive forms of productive activity as the needs of the people would require. In many respects the Province of Upper Canada in the first thirty years of its existence resembled that hypothetical community. The Rapids of the St. Lawrence on the one side and the Falls of Niagara on the other hampered free communication with the sea and with the Upper Lakes, while the lakes and rivers within the Province facilitated travel and trade between the sections of the Province. But the various settlements not upon the lake shore were themselves in partial isolation, for the roads were execrable beyond all imagining. In 1817 Crowell Willson of the Township of Crowland, said that the Township of Brock on the east shore of Lake Simcoe was so remote as to be utterly inaccessible save in winter time. That statement which strikes upon the mind as an absurdity was true enough when it was uttered; it may serve to emphasize the isolation of the settlements. Swamps, bogs, streams and rivers were effectual barriers.

The first requirement of a settler was food; his grain had to be turned into flour, and the hand mill, as supplied by the Government, or the home-made maple mortar and pestle, were toilsome and time-wasting machines. Thus mills were an early necessity, and there was an eager demand for water-rights on the rapid streams. Yet years passed before the Province could supply all the demand for flour for its own people and for the soldiers in garrison. The manufacture of potash was an early industry which arose out of the clearing of the forests and the burning of the logs, and potash-kettles were brought up the St. Lawrence before the dawn of the Nineteenth Century.

The use of strong liquors was universal, but the average settler was poor and could not afford to buy the rum of Jamaica or the wines of France and Spain. He had to be content with ale and whiskey—both easily produced from grain, and therefore breweries and distilleries on a small scale were among the earliest industrial enterprises. Small waggon factories were established in each rural settlement and an early need was filled by the making of axes in several of the little towns. Considering the development of the Ottawa timber trade and the need for clearing the land it is not surprising that forest tools were demanded.

The first generation of Ontario people used the great fire place for cooking. The second generation wanted stoves, and as the need arose it was satisfied. Elsewhere we have told the story of the Van Norman iron smelter and foundry in the Long Point region. From that very remarkable forge came the E. Leonard Company of London and the Dereham Forge

at Tillsonburg—for Elijah Leonard and George Tillson had been the partners of Joseph Van Norman and knew the needs of the country. The stoves of that period—before the Rebellion—were fine examples of casting and were more weighty than the products of the new settlements in the United States.

It was this same second generation which began keeping sheep on a considerable scale, so that woollen cloth might be more easily available.

The first volume of Patent Office Reports covering the period between 1824 and 1849 has an interesting description of inventions filed by residents of Upper Canada. In July, 1831, Nicol Hugh Baird of Nepean Township, submitted a plan for constructing suspension wooden bridges—evidently stirred by the need at the Chaudière. The second Upper Canada invention was filed by John W. Cleghorne of Cobourg in September, 1831. It was a machine for threshing grain. Jonathan G. Hathaway of Hamilton, was the inventor of a hot air cooking stove patented in 1832, and Joseph Van Norman filed a model for an improvement in the cooking stove.

John Morgan Thomas and Alexander Smith, of Toronto, the first pianoforte manufacturers in Upper Canada, filed a patent in 1840 on an invention for strengthening the frame of a piano and improving the tone. The description follows: "The block where the tuning pins are placed has a metal plate screwed on it, through which the tuning pins are put, and attached to the common metal plate on which the strings are hitched; and then between the two plates a metal bar is attached. That runs parallel with the lowest string in the instrument, which makes a complete metal frame and takes the pressure entirely off the case." That this was a progressive and real improvement in pianos of the time is shown by the fact that Broadwood, the English maker, was using the long brass bar in 1851 and after 1862, says the *Encyclopaedia Britannica* "he covered his wrest-plank with a thick plate of iron into which the tuning pins screwed, as well as into the wood beneath, thus avoiding the crushing of the wood by the constant pressure of the pin across the pull of the strings, an ultimate source of danger to durability." The manufacture of pianos has always been upon a high plane in Ontario. A number of instruments as produced today can stand comparison with any in the world. Thus, before 1845, the society of the Province had become sufficiently wealthy to turn its eyes towards something other than bare necessities.

The first review of the condition of manufacturing in the Province was made by *The Examiner* of Toronto about the time of the first Provincial Exhibition held in the capital on October 21st, 1846. The Editor, being a Free Trader of English variety, was in doubt concerning the value of local industry. It is interesting to contrast his views before and after the Exhibition. He wrote on September 16th, commenting on the occasion of the publication of the prize-list by the Provincial Agricultural Association: "It appears that the Association will take the infant and embryo manufactures of the country under its protecting wing. Very good; but we hope it will

not encourage the absurd idea that it would be at this time advantageous to the country to attempt to manufacture our own broadcloths and the finer fabrics: that we can manufacture a coarser description of cloth which may serve the use of the country to a great extent there can be little question. There are several other things that we might manufacture, but the supposition that we might jump all at once from an agricultural people just emerging from the forest to the perfection of European manufactures is preposterous in the extreme, and can only find a place in the wildest imagination. Let us make all possible improvements in cultivating the soil, extend the growth of hemp and flax if it be found—as there is no doubt it will—eminently profitable, but it will hardly be advisable to enter into the mouslin (sic) de laine business as manufacturers all at once."

On October 28th, after seeing the Exhibition, the same Editor wrote: "There were some very good tweeds and fulled cloth, the former fully equal in quality to any imported from Scotland, and the selling price of which is 3s 9d cheaper, we believe, than those imported. The satinets, an article not manufactured in England at all, were of middling quality, not as good as can be manufactured in the United States, but equal to those generally imported from there. There were some very good samples of cadet-mixed and gold-mixed cloths and some fulled cloths dyed black of very good appearance. In the article of blankets Upper Canada can, as regards price, outstrip the English manufacturers altogether, and in quality can fully equal the best importations. There were some exhibited of very superior quality; the selling price of which is $5, while English blankets of equal quality cannot be sold here for less than $5 3-4. There were some beautiful red flannels. remarkably fine and fully equal to the best English."

A record of the prizes awarded shows that the goods so highly praised by *The Examiner* were manufactured by J. W. Gamble, of the Township of Vaughan, William Gamble of the Township of York, and T. B. Gracy, also of the Township of York. In all parts of Upper Canada, often in remote situations, woollen mills were established which could easily compete against American and English goods. The problem of transportation which was instant and pressing, compelled the rise of these small industries. Consider the problem of bringing goods by river and lake and waggon trail from New York and Philadelphia. Consider also the fact that the ice barrier sealed the St. Lawrence from November till April, and that a trail of nearly 350 miles from Montreal to Toronto was too long and toilsome, even in "sleighing" to stock the warehouses of Upper Canada.

*The Examiner* found special interest in the exhibit of Agricultural Implements: "There was a machine for extracting the stumps of trees which, though heard of in some places before now, is not in general use. Its construction is simple and of power sufficient to extract any stump, however large." It made use of the mechanical principle of the screw, turned by a horse travelling in a circle. "There were three kinds of horse-rakes," continued the article. "The revolving horse-rake would appear to possess

great advantages over that generally in use in England. . . . There was also one with curved teeth of iron or spring-steel, having advantages over the wooden-toothed rake." Mention was made also of ten different sorts of plough, one equipped with a sowing device, depositing the seed in the furrow. There were two Barrow drills, with rollers front and rear, one to prepare the soil, and one to close the furrow after the seed had been dropped from the box. The showing of waggons was exceptionally good.

*The Examiner* continues: "If we are to believe the manufacturers of stoves in Canada, they make use of a better kind of pig-iron than their American competitors, and as a general rule make the stoves of greater substance. In 1834 Mr. Towers, of St. Catharines, manufactured 1,000 stoves, being more than were manufactured by him during the seven years previous. The price in that period was cut by one half."

The article declared that in 1835 iron furnaces were put into operation in Hamilton, Brantford and Dundas. In the following year there were three in the Niagara district, which by 1846 had increased to seven. "Though we have mentioned these localities," the article added, "the increase in this branch of manufacture is not local, but extends throughout Upper Canada."

The prize list of the Exhibition and contemporary advertisements. show that Eastwood and Co. were manufacturing paper, C. Elliot had an iron foundry at 58 Yonge Street, where also millstones were manufactured; John Bell was making agricultural implements, and Jonathan Dunn, sole leather and calfskin. J. W. Bevan manufactured woodenware. Samuel Shaw secured prizes for coopers' tools, claw-hammers, narrow axes and mortising chisels. Storm and Burrows were brickmakers on a considerable scale, turning out red and white brick and tile. John Harrington made cooking stoves. P. Bishop manufactured bank-vault doors. Two firms won premiums for bookbinding, Thomas Brown, and Rowsell and Thompson. Good lithographic work was being done by Scobie and Balfour and John Johnson.

*The Globe* said of the Exhibition: "There was much to encourage the friends of the Province in the woollen goods exhibited. We saw several specimens of cloth of good texture and handsomely finished, and blankets in imitation of Yorkshire and Witney manufacture which for quality of wool and texture, and for finish and colour could hardly be excelled anywhere. The specimens of stoves and tinware were creditable. The show of ploughs and harrows in the grounds attracted much attention, containing much variety, with some very recent improvements. In the back court were some specimens of carriages, among which was a very handsome double-seated carriage by Owen Miller and Mills which a Nabob might envy."

Another Provincial Exhibition was held in the autumn of 1852. Fairly elaborate records of the display exist, notably, the report in *The Canadian Journal.* It is said that all the agricultural implements shown were of a high type of excellence and were not surpassed by either American or English products. *The Journal* made one complaint—with reference to the attempts at elaborate ornamentation on threshing machines and waggon



EXHIBITION GROUNDS, 1885, SHOWING "CRYSTAL PALACE"
IN BACKGROUND



CRYSTAL PALACE—EXHIBITION GROUNDS, 1885

boxes. "Daubing" was the term used. One of the most interesting features of the Fair was the display of furniture by Jacques and Hay, of Toronto, a firm which won a very high reputation for the quality of its goods. The firm at first was on King Street, west of the present Bank of Toronto. Then it moved farther to the eastward and for many years was near the corner of King and Yonge Streets. Ultimately the business came into the hands of Mr. W. B. Rogers, who in our own time was Postmaster of Toronto.

At the Exhibition of 1852, which was held on the Caer Howell property, Jacques and Hay's furniture was arranged in a small, single-room cottage 21 by 17 feet. On the right hand was a three-door ladies' walnut wardrobe, made for C. H. Turner, of Rook's Nest, Surrey, England, and valued at £35. The door panels were veneered with a rich burl and the moulding was broken in the centre of the circle by a carved ornament. The inside was finished in bird's eye maple finely polished.

The principal attraction, says *The Journal,* was a very magnificent French bed with an elaborately carved footboard and pediment. In the centre of the footboard was a Madonna and Child boldly carved, surrounded by a graceful wreath of convolvulus, combined with a wreath of flowers copied from nature, including the dahlia, German aster, rose and convolvulus, carved in relief. On the top of the pediment was a Cupid with a bird on its finger, and at each end suspended from a scroll was a group of fruit also taken from nature. The pillars were closely in keeping, being surrounded with groups of convolvulus on the upper part and hung with wheat and wild flowers on the under part. The rails were also decorated with raised panelling. The bed was valued at £60; was built specially for the Fair by Jacques and Hay, and was designed, and mainly executed, by Mr. Charles Roger, designer and carver of the establishment.

The description surely shows Victorian art at its climax of over-ornamentation—that art which departed from simplicity in order to achieve mere prettiness.

Besides the bed there was an antique Confessional Chair, made for Mr. Fred Widder, of the Canada Company. The back and seat were covered with "very elegant sewed work," executed by one of Mr. Widder's daughters. The carving was a combination of the pink and tiger lily, and the chair without the embroidery was worth £10. Other articles shown were a French card table with folding leaves, an ornamental table with a sample dining room chair done in Morocco leather, and a drawing-room table with truss legs and an oval top of Italian marble. The rails were carved in relief and partly fretted. This table was bought by Chancellor Blake for £14 10s.

Manufactured articles sent from Upper Canada to the Crystal Palace in 1851, included flour, oatmeal, maple sugar, corn brooms and whisks, a cheese, from the Provincial Agricultural Association, black walnut planks, specimens of finished birch, red elm, butternut, pine, bird's eye maple, oak, ironwood, hornbeam, hard maple, soft maple, ash, tamarack, spruce, cherry,

and veneers of curled maple, bird's eye maple and black walnut. Cooking and parlour stoves were sent by G. H. Cheney of Toronto, axes, coopers' tools from Toronto and Dundas, whips, harness and cordage from Toronto.

The textiles were as follows: 1 counterpane, Thomas Dixon, Toronto; 2 horse blankets and 1 piece of carpeting from Wm. Gamble, Milton Mills; 1 piece of carpeting from Barker of Esquesing; 1 piece of grey cloth, 3 pieces of satinet from Hon. Thos. McKay of New Edinburgh, suburb of Ottawa, and six pairs of blankets, the origin not stated. One pair came from Pattersons of Dundas, won first prize and was presented to the Queen. Agricultural machinery was sent from Brockville by Skinner and McCullock, and 6 scythe snaiths from S. Hurlburt of Prescott. W. F. Weese of Ameliasburg sent a churn. M. G. Sullivan of Hamilton sent a hunting saddle and Charles Rahn of Toronto a specimen of dentistry.

Prize medals were won by the following Canadians: J. Bailey, for pails; G. Perry & Brother for a fire engine; the Montreal Central Commission for a collection of Canadian woods; Arthur Fisher for maple sugar; the Montreal Mining Company for manufactured copper; J. Patterson and W. Gamble for blankets; D. Jones and D. Limoges for white peas; G. Reinhart for ham; J. Robb for biscuits; J. Simpson & Co. for wheat flour, B. Smith for hops, R. Squair for oatmeal, and R. M. Watts for Polish oats. The Canadian Exhibit contained also a piano, furniture, preserved meats, sleighs, agricultural implements, harness, dressed leather and furs.

Canadian success at the Crystal Palace was encouraging. Therefore the Government readily acceded to the suggestion from the British Board of Trade that Canada should be represented at the World's Fair at Paris in 1855. A Provincial Committee of two hundred met, under the chairmanship of Sir Allan MacNab, and named an Executive of twenty-one, thoroughly representative of the country. Of this Committee Hon. Francis Hincks was the first chairman, being succeeded on his departure from Canada by Captain Rhodes of Quebec. The secretary was J. C. Taché. A sub-committee for Toronto was composed of E. W. Thomson, chairman; G. W. Allan, secretary; Mr. Buckland, treasurer; Sheriff Jarvis, W. Armstrong, R. L. Denison, T. Wheeler, J. Wheeler, W. Edwards, A. Ward, E. Musson, J. Flemming, T. D. Harris, S. Thompson, J. Harrington, J. Pell, F. Cayley, W. Gamble, Professors Wilson, Croft, Hind, Cherriman and Chapman, and F. Cumberland.

The exhibits did not differ materially from those at London in 1851, although more attention was given to the forestry and agricultural products, with the consequence that this display received the grand medal of honour. In all 93 medals and honourable mentions came to Canada.

Robert Romain of Peterborough, exhibited a steam plough which brought the following comment from J. C. Taché, in his Report to Parliament.(*) "The machine to which the inventor had devoted his life and his very uncommon mechanical talents was transmitted to Paris in an unfin-

*Sessional papers, M. 46, 1856.






CANADIAN NATIONAL EXHIBITION

THE GOODERHAM FOUNTAIN "DUFFERIN GATE"

RAILWAYS BUILDING

ished state, and he devoted to it several months of incessant labour before he was able to make the first trial of it. This trial took place privately and in my presence; it was finally successful as far as the principal mechanism was concerned; but the period of time during which it continued to act did not exceed a few minutes, in consequence of a faulty mode of application in the construction of the boiler. Mr. Caré, a French mechanician, the author of a *History of Mechanics in the Nineteenth Century,* speaking on this subject at the special agricultural banquet given at Paris, 25th October, 1855, expressed himself in these words: 'I feel a high degree of satisfaction in learning that the problem of the application of steam to the plough has been completely solved by a Canadian mechanician who is proud of his French descent. I lately saw this important machine at work, this plough of which steam was the motive power, and the experiment was such as to leave little to be desired to ensure its perfection.' In consequence of the reports which prevailed . . . the English house of Croskill sent agents to Paris to offer to purchase the invention from Mr. Romain on terms which the inventor considered as highly advantageous to himself. . . . The house of Croskill stipulated that the machine should be withdrawn from the Exhibition. On the application of the inventor, and having consulted both French and English engineers on the subject Sir William Logan and I thought it our duty to enable Mr. Romain to avail himself of proposals which he, the person principally interested, thought the most likely to effect the entire success of his invention. In the contract which was entered into between Mr. Romain and the house of Croskill, or rather their successors in that house, the machine is designated as Romain's Canadian Steam Cultivator."

Mr. Taché in concluding his Report protested against the current charge in some newspapers of the United States that the machines exhibited by Canada were for the most part surreptitious imitations of American inventions. He denied the charge most emphatically and insisted that the success obtained by Canada was due only to the intrinsic merit of the products exhibited.

Concerning the Romain machine but little information is available. The only other reference found is in *The Canadian Agriculturist,* Vol. V. 1853, p. 312, in a letter written by A. Kirkwood of Quebec. The writer refers in his preliminary remarks to a little book called *Falpa* or the *Chronicles of a Clay Farm,* in which the author had imagined a steam cultivator. He continues: "A machine somewhat similar to that described by the author of *Falpa* is at present being constructed in England. Invented by a Canadian and patronized by the Bureau of Agriculture it goes before the world with many indications of success. It has already received the approval of Mr. Mechi on whose farm at Tiptree Hall the first trial is to be witnessed. The inspection of a model is necessary to a correct idea of the machine. Its steam power is stationary, or more properly speaking, not locomotive, but placed in a cart drawn by horses, and giving motion to a

cylinder behind armed with teeth; or to quote *Falpa* reminding one at a distant view of a half-breed between a hay-tedding machine and a Croskill's clod-crusher—but unlike them; fundamentally distinct from any and every instrument that was ever seen in the field, as doing its work not by traction, not by its rolling weight, but driven by its axis, as the steam paddle, the circular saw, the driving wheel of the locomotive are driven; supported by its own apparatus and abrading the soil with its armed teeth, first cutting its own trench, burying itself to the required depth and then commencing its onward task tearing down the bank (so to speak) on the advancing side, canting back the abraded soil, earth's sawdust, comminuted, aerated, inverted, into the trench it leaves behind. This much for Romain's steam cultivator armed with the Falparian claw that works up the earth so fast."

On the same page as Mr. Kirkwood's letter is reprinted a letter to *The London Times* by J. J. Mechi of Tiptree Hall, Kelvedon, Essex, introduced by an editorial note revealing the fact that Mr. Romain was formerly foreman in the office of the Queen's Printer at Quebec. The letter follows:

"Sir: A calm and rigid investigation and computation have convinced me that the doom of the plough as an instrument of culture is sealed, and that the rotatory forking, or as it is called, digging machine, is the only profitable cultivator. Even with six or eight horses it is cheaper and infinitely more effective than the plough. Since the trial of implements at my 'gathering' I have received from one of our North American colonies the model of a newly invented machine, which by a happy and most simple combination of horse and steam power will—and I pledge my agricultural reputation for it—not only deeply, cheaply and efficiently cultivate and pulverize the soil, but at the same time sow the seed and leave all in a finished condition. It will also by a simple inversion cut and gather the corn without any rake or other complication; while both in cultivation and in harvesting its operation will be continuous and without stoppage.

"The inventor and his machine have, by the government of the district, been placed under my charge and guidance. I have, therefore, on public grounds, and considering the vast importance of the invention in a national point of view, advised the inventor to grant licenses for its manufacture at a very moderate royalty to the most eminent agricultural implement makers in various parts of the Kingdom, so that our agriculturists may be secured by competition against monopoly or inferiority while the inventor will benefit in proportion to the appreciation of his merits. I shall call together a meeting of the various implement-makers, and in due time my practical friends of the old school (who must now consider me quite insane) will have an opportunity on every farm of forming their own conclusions. I may venture to state generally that the implement when complete will weigh about 20 to 25 cwt., will require a pair of horses, and will represent the power of about 8 to 12 or more real horses. I need hardly say that I shall have no pecuniary interest in this matter. The invention has been duly secured.

. . . "The implement for digging will require one man and one boy only, including the management of the steam engine; in reaping the same, with the addition of three men to bind, as the corn falls into their arms. The men will be carried on the machine."

The machine evidently was improved between 1853 and 1855, for a patent was granted by the Canadian Government on Oct. 19th, 1854, to Robert Romain of Peterborough for "certain improvements in the apparatus for effecting agricultural operations." In the brief description printed in the Patent Office records the details of the invention are not too clear, but the inventor claimed protection on the system of driving the main running wheels whereby the machine was rendered self-locomotive. Yet it was not a tractor for horses were "the actuating medium."

Apparently the machine did not answer the exigencies of practical field work, for the next steam plough heard of in England appeared in the early 'sixties and was operated by stationary engines at the ends of the field, winding on a drum a cable which drove the plough through the land. No satisfactory agricultural tractor was built until the perfection in our own time of the gasoline engine.

In 1862 Jacques and Hay again secured first prize at the Provincial Exhibition for bedroom and drawing room furniture in walnut. P. T. Ware and Co. were manufacturing sewing-machine cases worthy of first prize. Others whose products won high awards on this occasion were Harris Brothers, corn brooms; Samuel Creighton, spinning wheels; C. F. Hall, buggies and carriages; Robert Pomeroy, oils, etc.; A. C. Walkinshaw, inks of all sorts; Joseph Robinson and Co., goldsmith's work; W. H. Sheppard, mantelpieces in marble; John McGee and Co., stoves; William Haines, grand piano cases; McCausland and Horwood, stained glass; J. and J. Taylor, safes; R. S. Williams, harmoniums and melodeons; J. Thomas and Co., grand and cottage pianos; Edward Lye, pipe organs.

An editorial article in *The Globe* of this period said: "We are now large producers of tweeds, flannels, hosiery, leather, boots and shoes, cotton yarn and batting, bags, furniture, oils, soap, candles, liquors, agricultural implements of all kinds, stones, castings, machinery, tobacco, etc." Three reasons were given in this article for the rapid growth of manufacturing in the Province; the war-tax which the American Government had imposed on American goods, the coming of additional capital to the country and the increasing population, and the existence of a tariff favourable to industrial enterprises.

By this time the railway had become a fact of business in the Province. All barriers to a free flowing commerce had been removed. Winter became as summer. Montreal, New York and Philadelphia came into easy touch and manufactured goods from the States as well as from England came into sharp competition with Provincial products. Only plants that were producing goods of high merit were able to survive.

Chief among these plants was one founded in 1847 by Daniel Massey

at Newcastle, on the north shore of Lake Ontario. The original factory was a little combination plant, machine shop and foundry, at first only one storey in height. In 1851, Daniel Massey's eldest son, Hart Almerrin Massey, became superintendent of the works. A year later, at the age of 29, Hart became a partner and manager of the business which was given the name of H. A. Massey & Co. In 1855 he became the sole proprietor of the business, and remained at its head until his death in 1896.

Important inventions, the outcome of Hart Massey's efforts, gave the little company a great impetus in its early years. In 1852, the Massey firm produced the "Ketchum" mower, the first mowing machine made on Canadian soil. This was followed by the "Burrell" reaper, designed to be drawn behind the fore wheels of a waggon. In 1855 the "Manny" combined hand-rake, reaper and mower, was placed on the market. In 1861 the firm brought out the famous "Woods" self-rake reaper, the first self-rake harvesting implement made in the Dominion.

The Harris side of the present firm originated in 1857, when Alanson Harris moved into a little shop in Beamsville, in the Niagara Peninsula. With a company of five men, he began to manufacture revolving hay rakes, invented and tested a few years before by Elder John Harris, Alanson's father, who lived in the village of Mount Pleasant, in Brant county.

Here again, early in the history of the business, there appeared the inventive, organizing son. It was John Harris, son of Alanson, grandson and namesake of the original inventor and a natural mechanic and inventor himself, who, at the age of 21, in 1862, gave the necessary momentum to the Beamsville business. He extended the "line" of the Harris firm to include mowers, hand-rake reapers, root-cutters, clover threshers, corn-shellers and ploughs.

In 1870 there was printed at Montreal a guide to manufacturers, published by W. T. Urquhart and H. L. Forbes. It is a quaint but interesting catalogue. Thirty firms are named as being engaged in the production of agricultural implements. Of these the following were established in Upper Canada: J. P. Billington, Dundas; Brown & Patterson, Whitby; Wm. Buck, Brantford; Anthony Cline, Bond Head; Henry Collard, Gananoque; W. Eastwood & Co., Ingersoll; John Forsyth, Dundas; M. Freeman, Colebrook; John H. Grant & Co., Grimsby; W. R. Gray, Dundas; Robt. G. Hall, Barrie; James Hamilton, Peterborough; Hislop and Ronald, Chatham; Lutz & Co., Galt; Massey & Co., Newcastle; Wm. McCullough, Brockville; Donald McTavish, Clinton; Middleditch & Son, Amherstburg; Noxon Bros., Ingersoll; L. D. Sawyer & Co., Hamilton; James Scott, Dundas; Joseph Sharman, Stratford; Charles Shaw, Bayfield; Henry Siddall, Islington; Skinner & Co., Gananoque; James Yocum, Dunnville. The Editors remarked that John Forsyth of Dundas had carried off numerous prizes at the various Provincial Exhibitions, mentioned the Massey firm as having a large business, and were warm in praise of the Sawyer plant at Hamilton.

Four boot and shoe factories were mentioned as doing business in Tor-

onto, Sessions Turner & Co. being the principal one. Hamilton had two; that of John Macpherson & Co., established in 1860 by Sanford & McInnes, gave employment to over 100 hands. There was one factory in Kingston and one in Ottawa.

Brooms and brushes were manufactured by A. J. Green of Hamilton, and four other firms in the same city. Candles, soap and lubricating oils were made by a dozen firms, the oldest being that of S. Phippen & Son, of Kingston, established in 1832 by James Walker of Hamilton (1833). Cotton mills were already successfully operated at Dundas, Thorold, Doon and Hastings.

Axes were made by George Dodds of Acton, Peel Co.; John Fleming of London, J. Hourigan of Dundas, McKechnie & Bertram of the same town, and James Warnock of Galt. Furniture was made by three firms, the Oshawa Cabinet Co., Luke & Brothers at Bowmanville, and Jacques & Hay of Toronto. Rutherford & Co. of Hamilton, had a glass factory in operation.

Of the iron foundries, eight were in Toronto, eleven in Hamilton, five in London, two in Ottawa, and about forty-five in as many smaller towns. The authors say: "There were six rolling mills in Canada, but one of them, at Kingston, is no longer in operation. The Kingston Rolling Mills were erected at the time when 10 per cent. duty was imposed upon imported manufactured iron; when Mr. Galt's tariff put manufactured iron on the free list they were closed, and since that time the machinery which they contained has been exported. The Rolling Mills in Toronto were owned by C. S. Gzowski & D. L. Macpherson."

Hamilton & Son of Toronto made engines and produced 2000 bolts a day by a machine of Wm. Hamilton's invention.

E. C. Gurney & Co., Founders, of Hamilton, had the largest establishment of the kind in Ontario, started by Alexander Campbell in 1843. George Northey's plant had been in operation since 1848.

Concerning the Joseph Hall Company of Oshawa the Editors said: "This is one of the largest manufactures in the two Provinces. It was built in 1854 by Joseph Hall and some other American capitalists; since then the business has prospered and greatly increased."

The Canadian Engine and Machinery Company was building locomotives at Kingston and the Great Western Railway shops at Hamilton were employing 302 hands.

Paper was manufactured by W. Barber & Bros., of Georgetown, A. Fisher of Dundas, John Ford of Belleville, Peter Ford of Trenton, P. B. Martin of Cornwall, T. & W. F. Miller of West Flamborough, J. H. Rich, Cainsville, John Riordan, St. Catharines, Mr. Saunderson of Greensville, Siles Bros., J. Frankford, Taylor Brothers of the Don, Toronto, and W. J. Whitehead of Hastings.

Sewing machines were made at St. Catharines, Toronto, Gananoque and Hamilton.

But the most interesting section of this list of manufacturing plants is

that assembling all the woollen mills of Upper Canada. Everyone knows that over half a century ago the little country creeks were of industrial value, and in many counties the ruins of stone or brick mills can be found. The rural woollen mills disappeared for two reasons; the coming of the railway and the sharpened competition caused by easy transportation. The list follows:

Ancaster Knitting Mills, Ancaster;
Armstrong, McCrea, & Co., Guelph;
J. Bailey, Hillsburg, Wellington Co.;
John Bain & Son, Elora;
Matthew Baird, Harper, Lanark Co.;
W. Barrett, Port Hope;
S. Beatty, Ballycrog, Simcoe Co.;
W. Becket, St. Catharines;
W. A. Bockus, Waterloo;
B. A. Booth, Odessa, Addington Co.;
W. D. Bowerman, Brooklin, Ontario Co.;
H. Broadbent, Waterdown;
W. B. Bradley, Hazeldean, Carleton Co.;
Bragg & Northup, Almonte;
D. Brook, Peterborough;
Brook & Co., Tillsonburg;
Brown & Bone, Kincardine;
Bruce & Son, Simcoe;
Wm. Buist, Bolton;
David Ellerby, Holland Landing;
Fady & Co., Branchton, Waterloo;
Forsyth & Co., Dundas;
H. Fraser, Clarksburg;
Gaum & Kranze, Crediton, Huron Co.;
A. S. Germain, Glenmorris, Brant Co.;
Gordon & Kirkham, Gananoque;
David Graham, Claude, Peel Co.;
J. N. Graham, Barrie;
Green Brothers, Union, Elgin Co.;
H. & G. Greenwood, Grafton, Northumberland Co.;
Griffith Bros., Byron, Middlesex Co.;
Donald Gunn, St. Mary, Peel Co.;
Haight & Wilson, Union, Elgin Co.;
Hargrove & Robinson, Glen Tay, Lanark;
J. Harrison & Son, St. Mary's;
Herman & Bolton, Listowel, Perth Co.;
J. W. Higginson, Hawkesburg, Prescott Co.;
J. C. Huffman, Frankford, Hastings Co.;
Alexander Kerr, Burritt's Rapids, Carleton Co.
Geo. Kilpatrick, Exeter, Huron Co.;
Lamber & Son, Falkirk, Middlesex Co.;
John Lazier, Belleville;
Thos. Lees, Caledonia, Haldimand Co.;
Logan McCann, Milton, Halton Co.;
McCullough & Wilson, Hawkesville, Waterloo Co.;
John McDonald, Embro, Oxford Co.;
Peter McDougall, Otterglen, N. Lanark Co.;
R. J. Mackintosh, Woodbridge, York Co.
J. & D. McNamee, Adair, Middlesex Co.;
Archibald McPhee, Almonte, Lanark Co.;
James McQuarrie, Blythe, Huron Co.;
Lyman Miller, Almira, York Co.;
H. Merrick, Merrickville, Grenville Co.;
Samuel Mirfield, Campbellford, Northumberland Co.;
W. P. Montgomery, Kilbride, Halton Co.;
Alex Morrison, Florence, Lambton Co.;
Murdoch & Orchard, Paisley, Bruce Co.;
Adam Murray, Bridgeport, Waterloo Co.;
Ontario Woollen Mills, Cobourg;
Sylvester Ostrom, Belleville;
Peter Paterson, Durham, Grey Co.;
Robert Patrick, Galt;
Pearson & Silk, Belmont, Middlesex Co.;
Penman & Adams, Paris, Brant Co.;
Randall Fair & Co., Hespeler, Waterloo Co.;
G. A. Read, New Hamburg, Waterloo Co.;
Ephraim Reid, Admasten, Renfrew Co.;
A. Robbs & Co., Strathroy, Middlesex;

Robinson & Howell, Galt;
B. & W. Rosamond & Co., Almonte;
(The largest woollen manufactory in Canada employing about 250 hands);
Wm. Slingsley, Canning, Oxford Co.;
G. W. Smith & Co., Lindsay;
Snyder Bros., St. Jacobs, Waterloo Co.;
Jacob Sovereen, Delhi, Norfolk Co.;
Thos. Steele, Arnprior, Renfrew Co.:
Joshua Sutton, Box Grove, York Co.;
Victoria Mills, Almonte;
(Fine tweeds are made at these mills. The annual product, $100,000);
Walker & Co., Smith's Falls;
Samuel Waltho, Dunnville;
W. Ward & Bro., Smith's Falls;
Watson, Tilt & Adsett, New Dundee, Waterloo Co.;
Jacob Wendling, Bridgeport, Waterloo Co.;
James Williams, Hampton, Durham Co.;
Chas. Williams, Glen William, Halton Co.
Willson & Barnard, Arva, Middlesex, Co.;
James Wilson, Fergus, Wellington Co.;
Geo. Wolfe, Bridgewater, Hastings Co.;
Chas. Woodhead, Baden, Waterloo Co.;

During the Federal Session of 1874 a Select Committee of the House of Commons made a report on the condition of the manufacturing interests of the Dominion. Its conclusions were as follows:

1st. It appears that the competition with the United States in those classes of manufacture which came under the influence of such competition is seriously complained of, on the ground that it is an unequal competition, fostered by the different fiscal systems of the two countries. The American Manufacturers having the exclusive control of their own market find it convenient to relieve themselves of their surplus products in Canada, in many instances at prices less than the cost of production, thus making of Canada a slaughter-market. It has been established before your Committee that Canadian Manufacturers have seriously suffered from this cause and that the effect of it must be in some cases at least so to hamper the Canadian industry as seriously to embarrass it, while the country itself would be injured by the withdrawal from it of large numbers of operatives who would be compelled to seek work in the United States. This disturbing element in the manufacturing industry of the Dominion arising out of our geographical position and out of the trade policy of our neighbours should induce even those who may regard free trade as a correct principle in the abstract, to recognize the necessity for a modification of the principle as a measure of self-protection.

2nd. The almost uniform testimony before your Committee was to the effect that an increased protection to manufacturers will not necessarily increase the cost of the manufactured article to the consumer, and in the opinion of your Committee the witnesses have made out a very strong case in support of this view.

3rd. Although the export trade in manufactured articles has not yet been developed to any extent your Committee have ascertained that in some classes of goods already a successful attempt has been made to place them on foreign markets. The encouragement of this trade.....should be effected by all legitimate means.

4th. The attention of your Committee has been called to the condition of certain classes of manufactures which pay under the existing tariff the same amount of duty upon what to them is raw material as is paid on the manufactured article.

5th. Your Committee would call the special attention of your Honourable House to the importance of such legislation as will develop the iron mines.

6th. The woollen manufacturers complain that they suffer in their business

by the importation from Europe of low-priced woollen cloths made principally from shoddy and ask the Committee to recommend to the Goverment a scale of duties graduated upon the quality of the article.'

The seventh section of the Report mentioned the need of restricting the importation into Canada of American reprints of British Copyrighted Works, and the eighth, urged the need of permanency in tariff legislation.

A minority report was submitted to the House by those Members of the Committee whose Free Trade principles were ingrained. They held that the slaughtering of American goods in the Canadian market was a temporary condition due to the depression of the period, and were filled with philosophic doubt as to the motives of the witnesses who desired upward revision of the tariff. For the most part it appeared in the evidence that the Canadian tariff was far below that of the United States as the following table shows:

| | American | Canadian |
|---|---|---|
| Agricultural Implements ..... | 35% | 17½% |
| Clothing ..... | 45c per lb. and 36% | 17½% |
| Boots and Shoes ..... | 35% | 17½% |
| Woollens ..... | 45c per lb. and 31½% | 17½% |
| Furniture ..... | 35% | 17½% |
| Cotton ..... | 5c per sq. yard, bagging 40% | 17½% |
| Hardware ..... | Nails and spikes, $1.35 per H., horseshoe nails, 4½c per lb. cross-cut saws, 9c per lineal foot handsaws, from 67½c to 90c per doz. and 27% | 17½% |
| Machinery & Tools ..... | 31½% | 17½% |
| Felt Hats ..... | 18c to 45c per lb. and 31½% | 17½% |
| Tin, Copper, Brass & Silver Plate | 35½ to 40½% | 17½% |
| Sewing Machines ..... | 35% | 17½% |
| Safes, Bolts, Nuts & Screws .... | 35% up | 17½% |
| Paper ..... | 31½% | 17½% |
| Carriages ..... | 35% | 17½% |
| Tanners & Leather Belting ..... | 15 to 31½% | 10% to 17½% |
| Stoves ..... | $1.35 per lb. | 17½% |
| Varnishes ..... | 50c per gal. and 20% | 17½% |
| Flour ..... | 20% | Free |
| Pianos and Organs ..... | 30% | 17½% |
| Glass ..... | 35% | 17½% |
| Scales ..... | 35% | 17½% |

The report of this Committee was really the beginning of the campaign which ended in the Election of 1878, when Sir John A. Macdonald was returned to power with a mandate to inaugurate the "National Policy." But

in the early stages of the argument Protection was not a Conservative policy. Both the parties were low-tariff in tendency, and only the alarming state of the industries of the country compelled a re-alignment. There is a political story to the effect that Hon. Alexander Mackenzie and his colleagues—even to Hon. Richard Cartwright—were prepared to revise the tariff and were turned aside only by the protest of their followers from Nova Scotia. Even then the Conservatives were cautious about taking the plunge until it became clear that not only manufacturers but farmers in Huron and Bruce County were suffering from American competition. American oats were underselling the Canadian product in the Canadian market. Sir John Macdonald perceived that in spite of theories, the country could not stand against a high tariff neighbour without some radical readjustment, and once he was convinced he supported the new policy with courage and acumen. Not a few Liberal manufacturers left their Party on the question, and aided in the destruction of the Mackenzie administration. The result was to invite the hostility of Liberal public men, who resented the activity of a specific group in public affairs for what seemed to be private advantage. Thus for many years Liberal leaders publicly belittled the importance of manufacturing, denied the advantage of the Home Market and poured ridicule on the self-seekers. Consultations between manufacturers and Tory leaders in the Red Parlour of the Queen's Hotel, in Toronto, were the subject of much withering denunciation on the hustings and in the party and periodical press.

Among those who flailed the Tories with a will was Sir Richard Cartwright. His speeches are priceless examples of sustained irony and vituperation. At Fergus, on July 7th, 1877, he made a calculation from census figures showing that of the 213,000 people of the "industrial class" in Canada, at least nine-tenths were blacksmiths, carpenters, waggon-makers, and other artisans who served the farming community. He was of the opinion that only from 20,000 to 25,000 were directly interested in the movement for Protection. "Do the manufacturers expect," he inquired, "that we are to relieve them from the results of unavoidable misfortune or from their own mistakes?" If so, Sir Richard saw no reason why Government aid should not be extended to lawyers who lost their cases, physicians whose patients died, "or even distressed politicians like Tupper and Sir John."

All the discussion on Tariff questions which has filled acres of newspapers and clogged the pages of Hansard during more than fifty years, simmers down to this: Must we collect Customs revenue *avowedly* to sustain productive industry, or merely to secure enough money to carry on the Government? A Tariff is necessary in Canada. Not a single public man of any business experience, whatever his political affiliations may be, will deny that statement. For the most part politicians have argued over a question of ten per cent.

The prosperity of the Dominion during the long reign of Sir Wilfrid Laurier and his Party gave proof that deliberate wrecking of Industry was

no more a Liberal principle than a Conservative. Today manufacturers no longer tremble for the safety of their investments; the Canadian Tariff, avowedly or not, has been a sufficient protection to induce hundreds of American Companies to establish branch factories in this country.

At the Colonial and Indian Exhibition held at London in 1886, there was a creditable exhibit of Canadian manufactured goods. *The Times* in an article of high compliment, published on August 10th, said: "It would be hopeless to attempt to give anything like an adequate idea of the multitude of manufactures which England's greatest colony is able to show as evidence of her progress. That progress so far as manufactures are concerned, has been extremely rapid in recent years. The capital invested in manufactures increased from $77,694,000 in 1871 to $165,300,000 in 1881, and the annual value of the products from $221,618,000 to $309,676,000.

At this Exhibition the show of agricultural implements was remarkably fine. The Massey firm, after the destruction of its Newcastle plant by fire in 1864 had removed to Toronto, and had greatly expanded its business at home and abroad. The Harris Company had established itself at Brantford and had made a successful invasion of the prairie country.

Each company by 1890 had a record of progress in inventions, tested in actual use at field trials and exhibitions in various parts of the world. For example, in 1880, the Massey Company took more than 60 prizes in Fall Fairs. In 1879 and 1880, at the Toronto Industrial Exhibition, they secured the highest awards for their harvester. In 1885 they won the gold medal at the Antwerp Exhibition. In 1886 they were awarded the Indian and Colonial Exhibition medal in London. At an agricultural exhibition in Melbourne in 1889 the Massey exhibit was the largest of any from Canada, and included the most extensive display of binders and mowers in the grounds. In the same year, in connection with the Paris Exhibition, a remarkable field trial was held, lasting four days, on varying crops, much of them badly lodged and very heavy. The Massey binder won at all points against world-wide competition, harvesting some crops regarded as impossible to cut. It was the only machine which did not fail to tie a sheaf, and was also by far the lightest in draft.

In 1880 the Harris Company won a special medal from the Council of Agriculture and Arts Association of Ontario, for an exhibition near Hamilton. In the six years ending 1882, they won 85 medals and diplomas at field trials in Canada, and in 1886, a medal and diploma at the Indian and Colonial Exhibition, London.

Each company, preserving its own methods, and with its own organization, had extended its field to a great radius from the parent towns of Newcastle and Beamsville. In all directions but south, and limited only on the north by the frost-line and the bounds of population, the two firms had marched side by side in a strenuous competition, each bearing the "Made-in-Canada" motto on its banners. It was now considered the best policy for these two firms, each in some respects the complement of the other, to

join forces, in order to reduce the cost of production, distribution and sale, and therefore, in 1891, the Massey-Harris Company came into being.

The advantages of the amalgamation were many. It was found possible, in time, to combine the best points of a Massey and a Harris binder in a Massey-Harris machine; the union made possible a policy of factory specialization because of the larger number of shops available for the production of machines, and moreover, in 1892 the concrete result of the merger was the announcement of a substantial reduction in the prices of some of the machines.

Soon after the new company's headquarters were established in Toronto, it began to attract to itself smaller, but co-related concerns, which gave the united firm strength but not monopoly, for it has never been without healthy competition. It first absorbed the Patterson-Wisner amalgamation (a combination of Patterson Bros., of Woodstock, and J. O. Wisner, Son & Co., of Brantford), and next took in the Verity Plough Co., of Exeter.

In 1895 the Massey-Harris Company extended its activities to include the manufacture of farm waggons, through affiliation with the Bain Waggon Co., which for many years in Brantford had produced, in addition to waggons, bobsleighs, log-trucks and dump carts. In 1910 the Massey-Harris Company acquired control of the Johnston Harvester Co., at Batavia, New York. In 1913 the company acquired as a going concern, and transferred to Canada, the Deyo-Macey gasoline engine plant, of Binghamton, N. Y. In 1918 the firm commenced the manufacture of agricultural tractors in a newly equipped plant at Weston. Two other acquisitions may be mentioned. In 1893 the firm, by acquiring the Corbin Disc Harrow business of Prescott, Ont., commenced the manufacture of this implement, and in 1904, mechanical manure spreaders were added to the Massey-Harris "line" through the purchase of the Kemp Manure Spreader Co., of Stratford, Ont.

In Brantford the Harris Co. had attracted to their branch of the industry a number of men who afterwards pooled their ability in the united firm. Messrs J. K. Osborne, Lyman Jones, J. H. Housser and J. N. Shenstone were all Harris men who later became pillars of the Massey-Harris company.

The Massey firm sold implements in Germany in the '60's, and by 1887 their machines were at work in Great Britain, France, Germany, Belgium, Russia, Asia Minor, South Africa, South America, the West Indies and Australia. The Harris foreign trade began in 1883. Since the amalgamation the record of the firm at foreign Exhibitions has been impressive.

In 1897 the Massey-Harris binder won first prize at Ratzburg, Germany. At Cremona, Italy, in 1899 the judges in an open field trial lasting two days, with 13 entries from England, Canada, Germany and the United States, awarded the first diploma to the Massey-Harris firm. In the same year, with the same number of entries, the Massey-Harris again won first award at Cobourg, Germany.

The Grand Prize of the Paris Exhibition was won by the Verity Ploughs in 1900. Subsequent honours abroad may be summarized as follows:

1900—Verona, Italy; field trial, Grand Gold Medal.
1902—Ischigri, Russia; field trial, open to world, highest award for binders, reapers and mowers.
1906—Reaping competition at Darling, South Africa; 11 machines, first and third prizes.
1910—Ekaterinoslav, Russia; International Exhibition; first prize for binders, reapers and mowers against machines from Russia, Sweden and United States.
1911—South Africa; six principal first prizes.

In 1920 the Massey-Harris Company was awarded the King's Warrant entitling the firm to use the Royal Arms. This honour has been granted to only three other Canadian firms, none of which makes farm implements. Massey-Harris machines have been used for a generation on the Royal Estates at Balmoral and Windsor.

The yearly output of the Massey-Harris Company to capacity is 275,000 complete machines. These products travel to 53 national markets. The firm manufacturers over 1,000 types of machinery and implements, and has 3,500 Canadian agencies.

The total floor space of the six factories is 83 acres, and in all, the work of manufacturing covers 161 acres. The space covered by the Toronto lumber yard alone is 12 acres, and in it 20,000,000 board feet of lumber in 135 different varieties are stored. Eight miles of railway siding are required.

The workers aggregate 7,800, of whom 2,500 are in Toronto, 1,800 in Batavia, 2,000 in Brantford (600 in the plough factory), 300 in the Bain Waggon works, 200 in the Weston factory, and 1,000 in the company's branch houses.

The company has a a total capitalization of about $40,000,000, completely represented by tangible assets at home and abroad.

The manufacture of paper has been transformed since the days of the first Riordan Company, the Taylor Company of Don Mills and the Fisher Company of Dundas. The invention of grinding machines for reducing spruce logs to pulp made the possibilities of the industries immense. Consider the present state of the Abitibi Power and Paper Company only thirteen years old. It has pulp-wood limits of about one million acres, and its mills at Iroquois Falls, north of the silver country, have a daily production capacity of 175 tons of ground wood pulp, 75 tons of sulphite pulp, and 500 tons of newsprint. The Spanish River Pulp and Paper Mills have great plants at Sault Ste. Marie, Espanola and Sturgeon Falls, and the Provincial Paper Mills, Ltd., have plants at Milles Roches, Thorold, Georgetown and Port Arthur. There are 46 pulp mills in Ontario capitalized at $167,000,000. Their annual product is valued at $65,000,000.

Among the more important manufacturing plants in Ontario are the McCormicks, producing agricultural implements at Hamilton, the Canada Foundries and Forgings Ltd., of Brockville, which had its beginning in a modest foundry started by James Smart in 1854, the Canada Machinery Corporation of Galt and Hespeler, a merger of several midland firms, the

Canadian General Electric of Peterborough, and the Canadian Westinghouse Company of Hamilton. Of course, a complete list of four thousand Ontario industries can not be given here; but a few firms may be mentioned.

The Canadian Locomotive Co., of Kingston, was formed in 1811, to take over the old Company of the same name which operated under a Provincial Charter. It has a capacity of 180 locomotives annually. The Cockshutt Plow Company of Brantford occupies 33 acres of land, and has had a notable career. Carriage Factories, Ltd., of Orillia and Alexandria, is a merger; the Canadian Salt Company of Windsor is the largest in Canada. Dominion Canners have several plants at Hamilton, Aylmer, Brighton and Dunnville; the Dominion Glass Company has factories at Toronto, Montreal, Hamilton and Wallaceburg.

The Steel Company of Canada and Dominion Foundries and Steel Ltd., have their headquarters at Hamilton. McClary's are stove manufacturers at London.

Other firms which have exceptional standing are the Dominion Radiator and Boiler Co., of Brantford and Toronto; the English Electric Co. of Canada, St. Catharines; The Goodyear Tire and Rubber Co., of New Toronto, the McLaughlin motor plant at Oshawa; The Ford plant at Ford, near Windsor; Dunlop Tires; the Lake Superior Corporation of Sault Ste. Marie; the Lake of the Woods Milling Co., of Kenora; the Maple Leaf Milling Company, with plants at Port Colborne, Toronto, Kenora, Thorold, Welland, Peterborough and Pickering, producing 28,000 barrels of flour per day; the National Steel Car Corporation of Hamilton, the Ontario Steel Products Co., Ltd., of Gananoque—which had its beginning in the D. F. Jones Manufacturing Co. in 1852, the Ottawa Car Manufacturing Co.; the Polson Ironworks, of Toronto, the Port Arthur Shipbuilding Co.—which has built 47 lake vessels—the shipbuilding plants at Collingwood and Midland; the Port Hope Sanitary Manufacturing Co.; Pressed Metals, Toronto; and the Russell Motor Co., of Toronto.

In Toronto alone, in 1924, 2,848 industries were in operation, employing 110,000 persons, and paying a yearly wage bill of $106,000,000. The invested capital exceeds $400,000,000, and the annual product is about $507,000,000.

One of the greatest aids to manufacturing in Ontario has been the development of the very notable Hydro-Electric System, which has provided cheap power and light in practically every community of the Province. The necessities of war also greatly stimulated industry. The following table shows the growth of industrial production since 1870:

| Year | Capital | No. of Employees | Value of Product |
|---|---|---|---|
| 1870 | $ 37,874,010 | 87,281 | $ 114,706,799 |
| 1880 | 80,950,847 | 118,308 | 157,989,870 |
| 1890 | 175,972,021 | 166,322 | 239,241,926 |
| 1900 | 214,972,275 | 161,757 | 241,533,486 |
| 1910 | 595,394,608 | 238,817 | 579,810,225 |
| 1920 | 1,705,496,450 | 333,902 | 2,013,186,455 |
| 1921 | 1,620,681,181 | 258,345 | 1,411,276,431 |

Although the history of the Canadian Manufacturers' Association goes back as far as 1872, for many years it consisted of local organizations in a few of the principal industrial centres, and its activities were necessarily provincial, with the result that, in 1899, when it was launched as a national organization, its membership was only about 300. By 1905 its membership had grown to 1604; by 1910 to 2,450; by 1915 to 3,098. From a few isolated groups with no common policy, the Association has developed into a truly national organization, with branches stretching from coast to coast. It has kept pace with, and is partly responsible for, the extraordinary growth of manufacturing in Canada since 1900.

Customs matters constitute the work of an important department at the Head Office, but that department is only one of four or five that are of equal rank and importance.

The Commercial Intelligence Department furnishes reports on commercial houses, in any part of the world (outside of Canada and the United States), it translates correspondence, catalogues and reports from or into any foreign language, it distributes among firms interested specific enquiries for Canadian-made goods; it issues warnings regarding fraudulent or doubtful "propositions," in behalf of which manufacturers are being canvassed; it arranges for the representation of its members at leading international exhibitions, and when they are travelling abroad it supplies them with letters of introduction.

The furnishing of a good commercial intelligence service is greatly facilitated by the fact that the Association owns and edits two first-class publications. One, the "Canadian Trade Index," shows by headings the various makers of every article manufactured in the Dominion; the other, "Industrial Canada," is a monthly survey of events and problems reflecting or bearing upon the country's industrial activity.

Accessibility to the source of raw materials is of vital importance to any industry. It is true that it assumes greater importance to some industries than to others. A food canning factory, for instance, cannot be expected to flourish if located any great distance from the truck and garden lands which constitute its sole source of supply. In like manner a reduction plant for extracting potash from feldspar rock must necessarily locate in the feldspar rock region or its dividends would be entirely absorbed by freight charges on its raw material. On the other hand the value of an industry's product may be largely the result of the labour that is used in its manufacture, so that the carrying cost of raw material to places of manufacture is in some cases of lesser importance in selecting a suitable location. Greater attention can then be given to the other factors which enter more extensively into the cost of production.

Ontario is particularly fortunate in the variety and quality of natural raw materials contained within its boundaries. It is a veritable storehouse of treasure for the manufacture of goods of utility and art.

Robert Hamilton and Richard Cartwright were the first considerable

traders in Upper Canada, distributing by ship and trail government goods to settlers, presents for the Indians, stores for the garrisons, and sending potash and furs to Montreal. Moy House at Windsor was a Hudson's Bay port and the Bâbys and Askins of the Detroit River frontier were also in trade.

Before 1803 there came to live and do business in York a remarkable man named Quetton St. George. Originally he had borne the name of Laurent Quetton. He was a Frenchman of aristocratic descent and the order of the chevaliers of St. Louis had been conferred upon him. Then came the tempest of 1789 and following years. Quetton escaped from his native land and landed in England on April 23rd, St. George's Day. Despising the republicans in control of France, he determined to renounce his nationality so far as it could be done, and become an Englishman. He would even change his name! What better one could he choose than St. George, the name of the patron saint of England, and whose festival was the *émigré's* day of deliverance?

When De Puisaye brought his party of dispossessed nobles, officers and gentlemen to Upper Canada, one of them was Quetton St. George, by this time as English as a Frenchman could become. Like the rest of the company he received a grant of land, but he was wise enough to perceive that he was not suited to the life of the pioneer settler. He soon established himself at Orillia as a trader with the Indians and by 1802 was keeping a store "at the house of the French General" between Niagara and Queenston. He seemed to have the genius for commercial success. He had a wide acquaintanceship, and a high reputation, not only in Upper Canada from Kingston to the Detroit River, but in Montreal, Quebec, New York and London. When St. George determined to make his headquarters in York he still maintained his Niagara business, and before long he was directly represented at Kingston and at Amherstburg. Among the Baldwin Papers in the Ontario Archives is a receipted bill of goods delivered to Dr. W. W. Baldwin by Quetton St. George in 1806. A few extracts from the account follow:

| | | £ | s. | d. |
|---|---|---|---|---|
| Jan. 18 | 1 bottle castor oil | | 3 | |
| Jan. 22 | 1 quart Madeira | | 7 | |
| | 1 empty barrel | | 8 | |
| Jan. 24 | 1 pair strong shoes | | 16 | |
| Feb. 3 | 1½ yards white cotton @ 5/6 | | 8 | 3 |
| | 1 paper pins 2/-, 1 toothbrush 1/6 | | 3 | 6 |
| Feb. 6 | 3 yards fine linen 10/- | 1 | 10 | |
| | 1 quart Port Wine | | 6 | |
| Mar. 27 | ¾ yard brown holland @ 4/- | | 3 | |
| Apr. 24 | 1 silver thimble | | 5 | |
| | 6 yards narrow white ribbon @ 6d | | 3 | |
| | 3 yards cambrick 21/-, 3 yds. fine linen 27/- | 2 | 8 | |

Every conceivable article was "stocked" by St. George. His was assuredly a departmental store, quite as astonishing in its variety as the stores of today; particularly as one considers the appalling difficulty of

getting goods delivered. In Dec. 1803, the merchant advertised to express regret that a shipment of goods was detained at Oswego and could not reach York until the Spring.

At York furs and potash were taken in barter. St. George shipped the furs to a correspondent in Schenectady—until the War of 1812 loomed on the horizon. The potash was sent out in barrel to Montreal or Quebec and shipped to his London correspondents, Messrs. Ingles, Ellice and Co. He bought anything and everything. Here is a letter from William Davis of Barton Township, date June 26th, 1808: "According to your request, I laid in with a man about 12 miles from my house to get some rattlesnake skins, as there is none of these reptiles about here. A pair of which has come to hand, therefore I forward them to you."

It is not surprising that this merchant of energy, courage and resource grew rich. He became an important figure not only in York but throughout the Province. His York store at King and Frederick Streets was a fine building of brick with a tin roof and a neat porch, and as a proof of his thoroughness as an "Englishman," he was one of the first pewholders in St. James's.

In the war he had some losses, but not of a serious nature, for an inventory of his store at Dundas taken in 1815 showed goods on hand valued at £9,707 16s. At his Lundy's Lane store the merchandise was worth £4,270 16s 6d. After Waterloo when the Bourbons returned to the Throne of France, Quetton St. George returned to his native land, leaving Dr. Baldwin as his representative to look after his interests. Ultimately the business was sold to Dr. Baldwin's son. After some years the general "lines" were closed out and the firm dealt only in wines and liquors. Even in the later years of the Nineteenth Century the establishment of Quetton St. George was to be found in King Street, on the site now occupied by *The Toronto Daily Star.* The manager was the son of the eminent authority on Parliamentary Law, Alphæus Todd.

In the Ontario Archives one may see the original liquor shop licenses issued to Quetton St. George in 1813 and 1814 for his stores in York and in the Township of Flamboro' (Dundas). They are signed by Roger Hale Sheaffe and Francis de Rottenburg, Administrators of the Province, and by W. Allan, Inspector. The fee for each was £1 16s., with 20s. additional duty imposed by the Legislature.

Traders in grain appeared as the country began to fill with settlers. Before the railway era every little lake port that could boast a wharf was a grain-shipping port. Schooners innumerable traded with the south shore ports and the wheat of Upper Canada had a ready sale. It is said that before 1852 the American millers of the Genesee Valley were eager to secure the hard Canadian fall wheat to mix with the New York and Middle States product, which generally was of lower grading. Millers of Minneapolis today have a similar ambition—to secure No 1 hard from

the plains of Manitoba and Saskatchewan to improve the quality of their flour. Just as Winnipeg is the grain capital of Canada in our day, Toronto held that position in the 'forties and 'fifties, and the creation of a Corn Exchange was a natural outcome of the circumstances. The Board of Trade was organized in 1845. Because practically the whole of Toronto export business was with the American people, the first Board was ardent in its advocacy of free trade, and heartily supported the successful effort of 1854 to secure reciprocity in natural products between Canada and the United States.

When the Americans abrogated the Treaty—partly from pique, and partly to adopt a frankly Protectionist policy—the merchants noticed with surprise that the change had not materially damaged business in Canada. As manufacturing grew with the years, the approval of Free Trade was gradually abated and after the National Policy was adopted in 1878 the Boards of Trade in the Province were generally Protectionist in opinion. Improved transportation created a home market, and the apparent desire of the Republic to penalize Canadian trade had a reflex action.

By the activity of the Canada Company settlements began to be established in the midlands of the Province, and these served as the centres of rural communities which soon developed a considerable purchasing power. Toronto and Hamilton naturally became distributing centres and long before the railway became a factor in business wholesale houses were established for the advantage of the country merchants. Stories are told of commercial travellers from Montreal who used to drive through to Windsor on their selling tours, but the distance was too great to encourage competition, especially since the store keepers were wary about buying from samples. Many of them preferred to come personally to Toronto or Montreal on a combined business and pleasure trip, and select their goods in the warehouses. Some non-dependable wholesale institutions had a brief career during which their travellers rather increased the distaste of the country merchants for sample-buying. An anonymous traveller, writing in 1868 under the name of "A Canadian Guerilla," averred that in the back country during 1859 he had found "tough customers and tougher grub." In the towns touched by the new railway lines conditions were more pleasant, but to sell on the long driving tours was no easy task. Mr. E. Fielding, the veteran treasurer of the Commercial Travellers' Association, was a manufacturers' representative in 1862 and his territory consisted of all the towns and villages between Toronto and Montreal. He used to set out with his horse and buggy in September, change to a cutter when the snow came and complete his trip in March.

Because of the competition of Toronto and Montreal for the wholesale trade the City Council of Toronto passed a by-law respecting "petty chapmen" forbidding travellers to sell from samples within the city limits without first paying $100 for a license. The law was not observed.

Travellers came as usual, but the natural position of Toronto gave the advantage to the city which unwise legislation had failed to give. In those days goods were sold usually on four months' credit. After some years of dealing with the better-class wholesale houses which were particular to ship goods fully up to sample, country merchants began to look more favourably upon the travelling salesmen. In 1868 it was estimated that they were expending daily on railway, livery and hotel outlay, about $4,600. Allowing each six months on the road, this was the tidy sum of $837,200 annually and the time was ripe to claim special rates from the railways. The Toronto branch of the Commercial Travellers' Association was organized in 1873 with 500 members. Now the commercial men of Ontario are numbered by tens of thousands; the business of selling has been systematized and practically all invoices are on a thirty-day basis, with 1 per cent. discount for spot cash.

The railway solved problems which had vexed business men for years. Easy access from Montreal made it possible for the leading merchants to secure regular deliveries, in quantity, of goods from foreign ports. Thus the way was cleared to send buyers regularly to Europe. The retail house of Robert Walker and Co., "The Golden Lion" sent a buyer to England twice a year, as early as in 1862. The wholesalers, of course, had been doing so long before that period. Because of the Grand Trunk Railway, Toronto was no longer an outpost of civilization, blocked from tidewater for months every year. It was on the way to become a great city with a distributing trade of vast proportions.

A young man from the north of Ireland who had established a general retail business in St. Mary's in 1857 sold out his holdings in 1869 and came to Toronto with a New Idea. He believed that variable prices and long credit worked injury to the merchant and the buyer as well. He resolved to test his theory of retailing—one price and spot cash—and on December 8th, 1869, he personally unlocked the front door of a well-stocked dry goods shop at 178 Yonge Street, between Richmond and Queen Streets. Fifty years later his widow, in celebrating the Jubilee of the institution, opened with a golden key the front door of the T. Eaton Company's great departmental store at 190 Yonge Street, and entered on the arm of her son, the late Sir John C. Eaton, merchant prince and philanthropist. While the progress of this business seems like a fairy story, success was achieved by prosy diligence and honest dealing. Timothy Eaton's principle of action was "a square deal to everybody, the people from whom we buy, the people to whom we sell, and the people who work for us."

A rigid cash rule was regarded in 1869 by competitors and the public alike as sheer folly and the principle as lofty, but futile. In patronizing pity they spoke of the young Irishman as a dreamer, and predicted brief life for his new dry goods store. The dreamer disappointed the prophets,



OLD BOARD OF TRADE BUILDING, TORONTO



A TORONTO SKYLINE

and to-day the T. Eaton Co. is considered one of the most remarkable organizations in the business world.

This success was won in the face of the sharpest competition, and despite a steady hostility. The long-established retail houses continued in their old ways until their older customers began to go the way of all flesh. Then they discovered that business conditions were changing and that they must change with them in order to continue operations. In many cases cash-and-one-price became an accepted principle. While there were distinguished exceptions, it may be said that the whole retail trade of Ontario was forced to follow the lead of the young man from St. Mary's, at least in this particular.



